

Cumulative Author Index with Abstracts

- Abramson, L. W. & Lindeman, Lisa L. *Entrapment and Due Process in the Federal Courts*
Volume 8, #2, July 1980, pp. 139-182
- Abstract: Examines the proper theoretical basis for the defense of entrapment, as well as a test by which it is to be applied.
- Addison, Max M. Review: *The American Confidence Man*, by David W. Maurer.
Volume 3, #2, Fall 1974, pp. 113-116
- Abstract: Narrative of the phenomenon of confidence games and their perpetrators.
- Adlerstein, Jo *Felony Murder in the New Criminal Codes*
Volume 4, #3, 1975-76, pp. 249-274
- Abstract: Evaluation of felony murder from common law to statute and argues to reverse statute.
- Albert, Geoffrey P. *Inadequate Defense Counsel: An Empirical Analysis of Prisoners' Perceptions*
Volume 7, #1, March 1979, pp. 1-21
- Abstract: Reviews several significant contributions and presents new data; considers the usefulness of this data toward assessing the adequacy of defense counsel. Utilization of data from defendants offers an opportunity to identify the kinds of issues which irritate the consumers of service.
- Alexander, R. W. Review: *The Future of Imprisonment*, by Norval Morris
Volume 4, #1, 1975-76, pp. 116-121
- Abstract: This book discusses the aims of defining the proper role of the prison in a democratic society; it also proposes alternatives for rehabilitation in prisons and justification for imprisonment.

- Anderson, John T. *In Re Egan: The Reluctant Grand Jury Witness and the Constitution*
Volume 1, #2, April 1972, pp. 224-234
Abstract: This article employs the *Egan* case as a backdrop for a discussion of the standing and Fourth Amendment issues with which a reluctant grand jury witness must deal.
- Anderson, John T. Review: *A Clockwork Orange*, by Anthony Burgess
Volume 1, #3, October 1972, pp. 249-254
Abstract: Review of the book's fictional account of a futuristic society. More specifically, this review addresses the book's treatment of behavior modifications for criminals.
- Anderson, John T. Review: *The Defense Never Rests*, by F. Lee Bailey with Harry Aronson
Volume 1, #1, February 1972, pp. 118-121
Abstract: This book advocates reform of the indictment system as well as abolition of the jury trial.
- Anderson, John T. *Texas Juries and the Insanity Defense*
Volume 2, #3, February 1973, pp. 251-275
Abstract: Proving insanity to a jury. Five cases cited as examples.
- Anderson, K. C. Note: *Criminal Procedure—Search and Seizure—Fourth Amendment Challenge to Affidavit's Veracity Allowed Where Defendant Makes Substantial Preliminary Showing of Deliberate or Reckless Misstatement and Such Statement is Necessary to a Finding of Probative Cause*
Volume 7, #1, March 1979, pp. 67-77
- Anderson, Ken Note: *Parole Revocation—Insanity: Knight v. Estelle*
Volume 3, #2, Fall 1974, pp. 205-220
Abstract: Insanity not a defense to revocation of parole.
- Anderson, Ken Texas Developments: *Tamez v. State*, 534 S.W.2d 686 (Tex. Crim. App. 1976)

- Abstract: Volume 4, #3, 1975-76, pp. 334-342
A probationary condition which requires a probationer to submit his person, residence and vehicle to a search by any peace officer at any time is unreasonable and invalid under both the United States and Texas constitutions.
- Anderson, Lisa C. Review: *Computers in Criminal Justice: An Introduction to Small Computers*, by Joseph A. Weldron, Carol A. Sutton and Terry F. Buss
Volume 11, #3, November 1983, pp. 397-399
Abstract: Book addresses the practicality of using computers, provides a basic understanding of the "how-to's" of computer use, and emphasizes the need to evaluate an agency's situation before deciding to acquire a computer.
- Ardington, Amy W. Review: *Practical Approaches to Legal Research*, by Kent C. Olsen
Volume 17, #1, Fall 1989, pp. 99-101
Abstract: Positive review of book which describes every major reference tool of the standard law library including the LEXIS and Westlaw systems.
- Bailey, Althea M. & Harrison, Emily Review: *Alone With The Devil: Famous Cases of a Courtroom Psychiatrist*, by Ronald Markman and Dominick Bosco
Volume 17, #2, Winter 1990, pp. 205-207
Abstract: Favorable review of book which is a series of recreations of murder scenes told from the murderer's point of view. Light reading.
- Bailey, Karen Texas Developments: *Thomas v. Stevenson*, 561 S.W.2d 845 (Tex. Crim. App. 1978)
Volume 6, #3, November 1978, pp. 341-348
Abstract: The amendment to Article V, Section 5 of the Texas Constitution confers original jurisdiction upon the Court of Criminal Appeals to issue writs of mandamus in criminal matters.
- Bakker, Jeanne L. Note: *The Defense of Obedience to Superior Orders: The Mens Rea Requirement*
Volume 17, # 1, Fall 1989, pp. 55-80

- Abstract: Analyzes the superior-subordinate relationship and the criminal culpability of subordinates who obey illegal orders.
- Baldwin, John Note: *Fourth Amendment—Search and Seizure*
Volume 7, #3, November 1979, pp. 395-412
- Abstract: A police officer may not constitutionally detain a pedestrian, requiring him to identify himself, without any reasonable suspicion that the person is or was engaged in criminal conduct. *Brown v. Texas*, 99 S.Ct. 2637 (1979).
- Balman, Steven Note: *Fourth Amendment—Search and Seizure*
Volume 7, #3, November 1979, pp. 395-412
- Abstract: Random spot checks for driver's license and vehicle registration are unreasonable absent a reasonable suspicion that the law has been violated. *Delaware v. Prouse*, 99 S.Ct. 1391 (1979).
- Barr, William R. Review: *Judicial Discretion*, by Aharon Barak.
Volume 16, #3, Spring 1989, pp. 381-382
- Abstract: Negative review of book by Israeli judge which is broadly concerned with the judicial philosophy of the judge.
- Barrera, Martina L. Review: *Drug Abuse and the Law Sourcebook*, by Gerald E. Uelman and Victor G. Haddox
Volume 11, #3, November 1983, pp. 395-396
- Abstract: Favorable review of book which teaches the legal aspects of drug abuse in the social context.
- Bartee, Janice M. J. *The Fourth Amendment: An Immodest Proposal*
Volume 11, #3, November 1983, pp. 292-320
- Abstract: Examines the Fourth Amendment issue of when the warrant applies in terms of the distinction between non-seizure-oriented searches and searches which are solely seizure-oriented.
- Bay, Kathleen Ford Comment: *Juvenile Justice in California: Changing Concepts?*
Volume 7, #2, July 1979, pp. 171-191
- Abstract: Comment examines the recent outcry against the failure of the juvenile justice system, the historical

basis of the system, and the statutory changes that reflect "society's interests" in one state—California—and the implications, if any, regarding the attitude and actions of the California juvenile courts following such changes.

- Bay, Kathleen Ford Review: *Assessing the Criminal: Restitution, Retribution and the Legal Process*, Edited by Randy E. Barnett and John Hagel, III
Volume 6, #3, November 1978, pp. 350-351
- Abstract: Review focuses on ten of the sixteen essays on crime and punishment included in the book (a collection of essays). The essays provide philosophical, ethical and historical backgrounds for the present crisis of the American criminal justice system, namely the failure of rehabilitation, ineffective deterrence, and lack of jail space.
- Beaty, Mary Ann Note: *Criminal Law, the Texas Abortion Statute, and Roe v. Wade*
Volume 2, #2, Summer 1973, pp. 231-243
- Abstract: Discusses the problem facing state legislatures following the *Roe* decision of defining the fetus as a "person" versus a potential life that the state could protect.
- Beauchamp, E. W. Note: *A State Prisoner Who Has a Full and Fair Opportunity to Litigate Fourth Amendment Claims is not entitled to Habeas Corpus Relief Under 28 U.S.C. § 2254 in a Federal District Court*
Volume 5, #1, January 1977, pp. 90-104
- Abstract: This note reviews the Supreme Court's decision in *Stone v. Powell* and the resulting limitation on the jurisdictional scope of 28 U.S.C. § 2254.
- Becker, Brian R. Review: *Just Deserts For Corporate Criminals*, by Kip Schlegel
Volume 18, #2, Winter 1991, pp. 253-255
- Abstract: Positive review of book which examines the application of principles of fairness to the punishment of corporations and their agents.

- Beckley, Catherine Note: *Batson v. Kentucky: Challenging the Use of the Peremptory Challenge*
Volume 15, #3, Spring 1988, pp. 263-302
Abstract: Examines the *Batson* decision (106 S.Ct. 1712 (1986)) in which the Supreme Court corrected the ruling in *Swain v. Alabama*, 380 U.S. 202 (1965), by granting criminal defendants a realistic opportunity for relief when prosecutors use peremptory challenges to exclude blacks and other minority races from petit juries.
- Belin, A. G.
Cowan, S. M. &
Kristovich, D.
Dominquez.
Abstract: *Criminal Enforcement of California's Occupational Health Laws: A Preliminary Analysis of Occupational Carcinogens Control Act Violations*
Volume 8, #1, March 1980, pp. 43-89
This article analyzes the effectiveness of the criminal enforcement of CAL/OSHA and OCCA. The author concludes that stricter enforcement of criminal sanctions authorized by the statutes will result in a greater compliance with both California's occupational health standards and with many other health and safety laws.
- Benedict, Anthony Review: *Criminal Evidence*, by Jon Waltz
Volume 11, #1, March 1983, pp. 96-98
Abstract: Favorable review of Professor Waltz's attempt to restate the law of criminal evidence in the language of the layperson.
- Benedict, Mark J. Review: *Pretrial Intervention Strategies, An Evaluation of Policy-Related Research and Policy-Maker Perceptions*, by Roberta Rovner-Piezenik
Volume 5, #2, May 1977, pp. 267-269
Abstract: Reviews programs of pretrial intervention instituted in an attempt to reverse the trend of rising crime rates and overburdened courts. This book is a critique of these programs based on their effectiveness.
- Benedict, Mark J. Texas Developments: *Gassett v. State*, 525 S.W.2d 328 (Tex. Crim. App. 1976)
Volume 4, #2, 1975-76, pp. 235-244

- Abstract: Computerized criminal records may be admitted into evidence in a criminal trial using the "business records" exception to the hearsay rule if grounded on proper statutory predicate.
- Bennett, John H. *The Hung Jury and The Dynamite Charge*
Volume 1, #2, April 1972, pp. 156-178
- Abstract: This article concerns itself with legal attacks on the verdict-urging instructions that federal judges give in criminal trials. It discusses the so-called "dynamite" or *Allen* charge—an instruction that persuasively urges the jury to reach a decision.
- Beverly, J. W. Review: *Drunk Driving: An American Dilemma*, by James B. Jacobs
Volume 17, #1, Fall 1989, pp. 101-104
- Abstract: Positive review of Jacobs' critical examination of the myths surrounding the drunk driver as well as his critique of current DWI laws.
- Beverly, J. W. Note: *Widening the Net: Murder for Remuneration in Texas—An Examination of Beets v. State*
Volume 17, #3, Spring 1990, pp. 307-330
- Abstract: Discusses the relation of Texas Penal Code, § 19.03(a)(3) (Vernon 1989) to the *Beets v. State*, 767 S.W.2d 711 (Tex. Crim. App. 1988), cert. denied, 110 S.Ct. 26 (1989) decision.
- Beverly, J. W. Review: *Corporate Crime and Violence: Big Business Power and the Abuse of the Public Trust*, by Russell Mokhiber
Volume 16, #2, Winter 1989, pp. 270-272
- Abstract: Details the decriminalization of corporate wrongdoing through the development of a two-track system—a criminal system for individuals and a civil system for corporations. Thirty-six case studies.
- Bienvenu, Philip Review: *On Guilt and Innocence*, by Herbert Morris
Volume 5, #2, May 1977, pp. 263-264
- Abstract: Reviews the importance of guilt and related concepts in our legal system.

- Bigger, Stephen R. Note: *Sentencing Procedure*
Volume 1, #1, February 1972, pp. 109-117
Abstract: This note contends that Due Process does not require that a defendant charged with a capital offense receive a hearing separate from the hearing to ascertain guilt. It goes on to claim that Due Process does not require a jury to have legislative standards to guide it in determining sentences.
- Blakely, R. Dwain Note: *Prisoner Rights*
Volume 1, #1, February 1972, pp. 104-108
Abstract: This note discusses a prisoner's right to complain to state officials about prison conditions as protected by the First and Fourth Amendments.
- Borne, James Note: *Constitutional Law—Habeas Corpus—Due Process Clause Requires That Standard of Review in Federal Habeas Corpus Court Reviewing Sufficiency of the Evidence Supporting a State Conviction is Whether Evidence was Sufficient to Justify a Rational Trier of Fact in Finding Guilt Beyond a Reasonable Doubt*
Volume 8, #1, March 1980, pp. 119-125
Abstract: Analyzes the impact of the Supreme Court's decision in *Jackson v. Virginia* on the sufficiency of evidence needed to support state convictions.
- Borne, James Review: *Plea Bargaining or Trial*, by Lynn M. Mather
Volume 7, #3, November 1979, pp. 418-420
Abstract: Author suggests the usefulness of anthropological field methods and ethnographics in understanding the informal and implicit workings of the legal system.
- Boyd, John Ronald *Past Commitment Release of the Criminally Insane: Statutory and Habeas Corpus Remedies in Texas and Other States*
Volume 1, #1, February 1972, pp. 44-59
Abstract: Focuses on the procedures for discharge of the criminally insane; addresses the need for legislatures to recognize that a state writ of habeas

corpus is insufficient for addressing the basic safeguards necessary to protect the patient's constitutional rights.

- Braddock, John Note: *Due Process—Plea Bargaining—A State Prosecutor Does Not Violate the Due Process Clause by Carrying Out a Threat Made During Plea Negotiations to Have the Accused Reindicted on More Serious Charges if He Does Not Plead Guilty to the Offense Which was Originally Charged: Borderkircher v. Hayes*, 98 S.Ct. 663 (1978)
Volume 6, #2, May 1978, pp. 201-212
Abstract: A state prosecutor does not violate the due process clause when he carries out a threat made during plea negotiations to reindict on more serious charges if defendant fails to plead guilty to the original indictment.
- Bradley, Frances A. Review: *Criminal Law*, by John C. Klotter
Volume 12, #1, March 1984, pp. 113-115
Abstract: An overview of substantive criminal law for professional policemen and women.
- Brender, Arthur J. Note: *Police Reports—Driving While Intoxicated*
Volume 1, #1, February 1972, pp. 96-103
Abstract: Contends that the Alcoholic Influence Report form directs police officer observations to unnecessary and prejudicial evidence.
- Brenner, Sue W. *The Parameters of Cruelty: Application of Estelle v. Gamble to Sentences Imposed Upon the Physically Fragile Offender*
Volume 12, #3, November 1984, pp. 279-325
Abstract: Discusses the issue of whether sentencing persons with serious physical infirmities to prison terms constitutes cruel and unusual punishment under the Eighth Amendment.
- Brooke, A. F., II Review: *Written In Blood: A History of Forensic Detection*, by Colin Wilson
Volume 17, #3, Spring 1990, pp. 331-333
Abstract: Positive review of this encyclopedic history of

murderers and the men and women who hunt them.

- Broude, John S. *The Use of Involuntary Inter-prison Transfer as a Sanction*
Volume 3, #2, Fall 1974, pp. 117-164
Abstract: Analysis of the authority which allows for the transfer of prisoners.
- Brown, J. R., Jr. *The Witness and Grand Jury Secrecy*
Volume 11, #2, July 1983, pp. 169-197
Abstract: Examines the legality of obligations of secrecy imposed upon witnesses in grand jury proceedings in light of the Federal Rules of Criminal Procedure, especially Rule 6(e), and the First Amendment.
- Brown, Penny J. Comment: *Immigration Border Patrols: The Less Than Probable Cause Standard for a Stop*
Volume 10, #3, November 1982, pp. 245-264
Abstract: Analyzes Ninth Circuit rulings on border patrol stops.
- Browning, D. L. Review: *Community Corrections*, by Stephen E. Doeren and Mary J. Hageman
Volume 10, #1, March 1982, pp. 79-80
Abstract: Positive review of a general overview of community-based correctional programs in the United States.
- Buckwalter, Gary. Note: *Government Immunity—Prosecuting Attorney—Prosecutor Has Only Qualified Immunity From Civil Suit For Perjury Committed Incident to His Investigatory Activities: Briggs v. Goodwin*, 569 F.2d 10 (D.C. Cir. 1977).
Volume 6, #2, May 1978, pp. 213-224
Abstract: Briggs purports to establish an exception to the concept of absolute immunity of a prosecutor when he performs an investigatory role.
- Buhstein, Lee Review: *The Politics and Economics of Organized Crime*, by H. E. Alexander and G. E. Caider
Volume 12, #3, November 1984, pp. 362-364
Abstract: A collection of essays surveying organized crime

and suggesting areas of potential research into the infrastructure of organized crime.

Butler, John S.

Review: *The Cuckoo's Egg: Tracking A Spy Through the Maze of Computer Espionage*, by Clifford Stoll

Volume 18, #1, Fall 1990, pp. 105-106

Abstract:

Positive review of book written in the language of the layperson which gives an account of the author's year-long search for a spy who infiltrated military computer systems in Germany, Japan, California, and Virginia.

Campbel, Scott

The Multiple Functions of the Criminal Defense Voir Dire in Texas

Volume 1, #3, October 1972, pp. 255-273

Abstract:

This article discusses the purpose and role of jury *voir dire* in a criminal defense in Texas courts.

Canals, Jose M. &
Dahl, Henry

Standard Penal Code for Latin America

Volume 17, #3, Spring 1990, pp. 263-285

Abstract:

Translation of the *Codigo Penal Tipo Para Latinoamerica*; relevant to the Henry Dahl article on the SPC (Vol. 17, p. 235 (1990)).

Cantrell, Charles
L.

Reasonable Causes in Warrantless Arrests: An Analysis of Some Selected Factors

Volume 6, #3, November 1978, pp. 267-285

Abstract:

The requirement of "reasonable cause" in the law of arrest is troublesome and ambiguous. The article identifies trends and problems among the four foundations of reasonable cause: physical appearance, furtive gestures, evasive statements, and flight of the accused.

Carmen, R. V. del

An Overview of Criminal and Civil Liabilities of Police Officers and Departments

Volume 9, #1, March 1981, pp. 33-50

Abstract:

Discussion of the duties of law enforcement officers and the fact that such duties render the officers susceptible to criminal and civil suits. Civil and criminal liabilities are described as one form of holding officers accountable to the general public.

- Carroll, Ben *Drug Bounties: Channelling Community Concern Into Results*
Volume 2, #2, Summer 1973, pp. 216-230
Abstract: Advocates the use of T.I.P. (Turn In the Pusher) programs for communities attempting to address the problem of hard-drug traffic. T.I.P. programs incorporate private citizens as sources of information for investigations.
- Carroll, Ben Review: *Defensible Space: Crime Prevention Through Urban Design*
Volume 2, #3, February 1973, pp. 245-250
Abstract: Review of book on inner-city projects and how construction design can affect crime levels.
- Cason, Mark Review: *Policing*, by Adrian Kinane
Volume 7, #3, November 1979, pp. 420-422
Abstract: The author, a psychologist and former policeman, gives an account in layman's terms of the forces that motivate a police officer on the street.
- Castillo, Avalyn Y. Note: *Forfeiture of Attorney's Fees: The Rights Remaining to the Accused and His Attorney after Caplin & Drysdale and U.S. v. Monsanto*
Volume 17, #2, Winter 1990, pp. 123-142
Abstract: Discusses problems of the majority's ruling in *Caplin & Drysdale*, 109 S.Ct. 2667 (1989), and *United States v. Monsanto*, 109 S.Ct. 2657 (1989); proposes statutory and constitutional arguments for attorneys who want to retain control over their fees in drug-related cases.
- Castillo, Catherine D. Review: *License to Rape: Sexual Abuse of Wives*, by David Finkelhor
Volume 15, #3, Spring 1988, pp. 303-304
Abstract: Book explores the societal and romantic myths which have led to the enactment of marital rape exemptions in state criminal statutes; includes survey of 323 married women.

- Castro, Issac M. Review: *Capital Murder*, by David Crump and George Jacobs
Volume 6, #3, November 1978, pp. 349-350
Abstract: This book is a source of information concerning the law and the Texas Criminal Justice System. Recommended for the general public and law students. The book focuses on capital murder cases.
- Clapp, Randy Comment: *Eighth Amendment Proportionality*
Volume 7, #2, July 1979, pp. 253-276
Abstract: In-depth analysis of the Cruel and Unusual Punishment Clause of the Eighth Amendment and the new dimension given it by various courts of appeals.
- Clark, Ronald H. Note: *Fourth Amendment—Search Warrants—A State Is Not Constitutionally Prohibited From Issuing a Warrant To Search for Evidence Simply Because the Owner or Possessor of the Place to Which Entry Is Sought Is Not Suspected of Any Crime: Stanford Daily v. Zurcher*, 98 S.Ct. 1970 (1978).
Volume 6, #3, November 1978, pp. 307-317
Abstract: The state has the power to search a person's private papers when he is not suspected of any crime. This holding follows a trend limiting the protection of the Fourth Amendment. This holding also limits our right to privacy under the Fourth Amendment. The U.S. Supreme Court failed to carefully consider the values underlying this issue.
- Clark, Ronald H. Review: *Prisoners' Self-Help Litigation Manual*, by James L. Potts
Volume 6, #2, May 1978, pp. 238-240
Abstract: A manual designed for use by prisoners in preparing legal actions.
- Clark, Ronald H. Review: *Search and Seizure: A Treatise on the 14th Amendment*, by Wayne R. LaFave
Volume 7, #2, July 1979, pp. 283-284
Abstract: Limits of search and seizure under the Fourteenth Amendment.

- Clark, Todd A. Review: *The Adolescent Criminal: An Examination of Today's Juvenile Offender*, by R. Barri Flowers
Volume 18, #1, Fall 1990, pp. 103-104
Abstract: Positive review of book which compiles exhaustive statistical studies on the juvenile offender.
- Claussen, Ruth E. Review: *Limits to Pain*, by Nils Christie
Volume 9, #2, July 1981, pp. 271-273
Abstract: Explanation of author's attempt to argue against the threatened use of incarceration as a means of directing human behavior. He argues that goals of deterrence may only be achieved in the extreme. Deterrence has given way to an effort to coordinate the measure of punishment with the severity of the offense. This has led to a mechanical formulaic approach to criminal justice which the author opposes.
- Claussen, Ruth E. Review: *Women's Self-Defense Cases, Theory and Practice*, Elizabeth Bocknak, editor
Volume 9, #3, November 1981, pp. 410-412
Abstract: Favorable review of collection of essays detailing methods for self-defense.
- Clote, Paul D. Note: *Constitutional Law—Ker-Friisbie Doctrine—Illegality of Foreign Arrest Alone Does Not Deprive Court of Jurisdiction*
Volume 4, #1, 1975-76, pp. 82-94
Abstract: Contends that *United States ex re. Lujan v. Gengler*, 510 F.2d 621 (2d Cir. 1975), cert. denied, 421 U.S. 1001 (1975), represents an unwise retreat from *United States v. Toscanino* and that the Bill of Rights should apply extraterritorially to foreign nationals whose liberties are abridged by the U.S. government.
- Cohen, Mark *Senate Bill 1043 and The Right to a Speedy Trial in Texas*
Volume 7, #1, March 1979, pp. 23-46
Abstract: Proposes various conflicts which may arise under the Texas legislation and offers selected resolutions to some of the problems.

- Combs, Charles W. *Burden of Proof and Vagueness in Civil Commitment Proceedings*
Volume 2, #1, February 1973, pp. 47-66
Abstract: Discusses the need for more safeguards to protect defendants in civil commitment proceedings against arbitrariness or mistake by the courts.
- Coody, David W. Note: *Fifth and Sixth Amendments—Privilege Against Self-Incrimination and Right to Counsel—Compelled Competency Examinations in Capital Cases: Estelle v. Smith*, 101 S.Ct. 1866 (1981)
Volume 10, #1, March 1982, pp. 65-78
Abstract: Examines significance of *Estelle* within context of criminal procedure.
- Cooke, Walter Clay *Airport Security Searches: A Rationale*
Volume 2, #2, Summer 1973, pp. 128-145
Abstract: Examines Fourth Amendment issues surrounding the search and seizure of bags belonging to airline passengers.
- Copeland, Greg *Juvenile Delinquency "Referrals" and Their Effect on Dispositions*
Volume 1, #3, October 1972, pp. 296-317
Abstract: Examines the accuracy of "referrals" and how these "referrals" actually influence the juvenile judge's decision about what to do with the juvenile.
- Courtade, John Note: *Criminal Law—Right to Counsel: United States v. Ash*
Volume 3, #1, Summer 1974, pp. 105-112
Abstract: Overview of court decisions regarding a person's right to counsel.
- Craig, Warren *Ineffective Counsel in Texas and the Federal Courts*
Volume 1, #1, February 1972, pp. 60-74
Abstract: This article deals with the guarantee of effective counsel and appeals based on allegations of attorney incompetence. It looks at Texas cases according to federal criteria for effective counsel, and examines how allegations of incompetence have changed the process of appellate review.

- Crawford, S. E., Jr. Note: *United States v. Oviedo*, 525 F.2d 881 (5th Cir. 1976)
Volume 4, #3, 1975-76, pp. 317-333
Abstract: Doctrine of legal impossibility is rejected; new objective test is adopted.
- Curry, Peter M., Jr. *Probation and Individualized Disposition: A Study of Factors Associated with the Pre-sentence Recommendation*
Volume 4, #1, 1975-76, pp. 31-81
Abstract: Individualized sentencing contrasted against a uniform sentencing policy and a discussion of possible reforms.
- Dahl, Henry *The Influence and Application of the Standard Penal Code for Latin America*
Volume 17, #3, Spring 1990, pp. 235-262
Abstract: Discusses defenses based upon justification of the SPC (among them, legal duty, self-defense and defense of others, necessity) and defenses based on the perpetrator's lack of criminal responsibility (such as mental insanity, age, and lack of capacity to understand the criminality of the act).
- De Rose, Peter L. Review: *Criminal Justice in Colonial America, 1606-1660*, by Bradley Chapin
Volume 12, #2, July 1984, pp. 243-245
Abstract: The book focuses on the early criminal justice system in America and deals with substantive criminal law, judicial proceedings, courts and their officers, and types of crimes.
- Dix, George E. *Exclusionary Rule Issues as Matters of State Law*
Volume 11, #2, July 1983, pp. 109-148
Abstract: This article examines the development of law dealing with the admissibility of evidence which has been obtained improperly or illegally. The article begins with an overview of developments in state law, then examines basic conceptual issues involved, and finally sets forth several examples which illustrate the conceptual issues involved.

- Dix, George E. *The Death Penalty, "Dangerousness", Psychiatric Testimony, and Professional Ethics*
Volume 5, #2, May 1977, pp. 151-214
- Abstract: Examines the need to initiate standards for acceptable expert testimony by the mental health professions; presents several possible standards that might be considered.
- Douglass, John Jay *Commentary: Recantation: Problems for Prosecutors Before, During and After Trial*
Volume 18, #2, Winter 1991, pp. 187-199
- Abstract: Examines guidelines for prosecutors to follow relevant to witness recantation.
- Dunn, Donald J. *The Criminal Justice Reference Library: A Collection of Informally Published Materials Related to Criminal Law of the CJRL in the Tarlton Law Library*
Volume 1, #3, October 1972, pp. 351-356
- Durbin, Diana C. *Comment: Collateral Attack of Prior Deportation Orders in Prosecutions for Illegal Reentry*
Volume 8, #2, July 1980, pp. 183-197
- Abstract: Analysis of the factors involved in the decision to allow a collateral attack of prior deportation orders. The question of whether alien defendants may attack the validity of underlying deportation orders as a defense to prosecution under 8 USC § 1326 is a matter of judicial concern.
- Elger, John *Note: Constitutional Standards of Voluntariness Were Not Satisfied by a Plea of Guilty Where Defendant Was Unaware That Intent to Kill was an Essential of the Crime*
Volume 5, #1, January 1977, pp. 105-121
- Abstract: This note reviews the Supreme Court's decision in *Henderson v. Morgan* and the effect this decision had on the test for determining whether a plea is voluntary.
- Ellis, Steven W. *Review: The Police and Pretrial Release*, by Floyd Feeney
Volume 11, #2, July 1983, pp. 227-229

- Abstract: An examination of the use of citations as an alternative to arrest and bail given the overburdened condition of detention facilities.
- Epstein, H. Stephen *The Extraterritorial Reach of the Proposed Criminal Justice Reform Act of 1975*
Volume 4, #3, 1975-76, pp. 275-304
- Abstract: Compares statute to established constitutional prerequisites for extraterritorial criminal jurisdiction.
- Erlinder, C. Peter *Mens Rea, Due Process, and the Supreme Court: Toward a Constitutional Doctrine of Substantive Criminal Law*
Volume 9, #2, July 1981, pp. 163-192
- Abstract: Discusses the common law concept of criminal culpability as a source for principled constitutional doctrine of substantive criminal law. The article advances the view that the concurrence of *mens rea* and *actus reus* in the definition of crime is the very essence of due process in the Anglo-American legal tradition.
- Esterlein, Laurel A. Texas Developments: *Sigard v. State*, 537 S.W.2d 736 (Tex. Crim. App. 1976).
Volume 5, #1, January 1977, pp. 134-144
- Abstract: It is not unconstitutional for the state to fail to produce an informer and witness although it earlier assisted him or her in leaving the jurisdiction.
- Evans, Chris Note: *Attorney-Client Privilege—Capital Murder—A Tape Recorded Conversation Between a Defendant and a Hypnotist Hired by the Defendant's Attorney May Not Be Introduced into Evidence by the State: Burnett v. State*, 642 S.W.2d 765 (Tex. Crim. App. 1982).
Volume 11, #2, July 1983, pp. 199-213
- Abstract: The article examines the relevant issues involved with the Attorney-Client Privilege as applied in Texas. It explores some possible variations between the Texas privilege and the classic common law formulation. It discusses policy questions important to privilege in any individual case.

- Evans, Jeffrey L. *Constitutional Restraints on Residential Warrantless Entries: More Protection for Privacy Interests in the Home*
Volume 10, #1, March 1982, pp. 1-26
Abstract: Discusses searches, arrest entries, and residential privacy rights within the context of the Fourth Amendment.
- Ewing, Darlene Comment: *Juvenile Plea Bargaining*
Volume 6, #2, May 1978, pp. 167-191
Abstract: A study of whether the adversary system is beneficial to juveniles and how the entire system works for juveniles.
- Fahle, John Review: *Pardons: Justice, Mercy, and the Public Interest*, by Kathleen Dean Moore
Volume 17, #1, Fall 1989, pp. 95-97
Abstract: Positive review of Moore's presentation of the historical and present state of pardoning power. Critical of Moore's failure to justify her preference of the retributivist (as opposed to utilitarian) model for criminal justice.
- Fair, Daryl R. *The Lower Federal Courts as Constitution makers: The Case of Prison Conditions*
Volume 7, #2, July 1979, pp. 119-140
Abstract: An analysis of the role of lower federal courts in subject areas such as the cruel and unusual punishment provision of the Eighth Amendment, where the Supreme Court has chosen to participate only marginally.
- Farney, William B. Review: *Research Methods and Statistics: A Primer for Criminal Justice & Related Sciences*, by R. J. Hy, D. G. Feig and R. M. Regal
Volume 11, #3, November 1983, pp. 399-401
Abstract: Favorable review of book written by three professors in political science and sociology.
- Finley, Greg Review: *Crime and Punishment: Issues in Criminal Justice*, edited by Fred E. Baumann and Kenneth M. Jensen
Volume 17, #3, Spring 1990, pp. 333-335

- Abstract: Positive review of collection of essays dealing with revenge and retribution.
- Fisher, Stanley Z. *In Search of the Virtuous Prosecutor: A Conceptual Framework*
Volume 15, #3, Spring 1988, pp. 197-261
- Abstract: Discusses prosecutorial duty in the context of what the author contends is our failure to give prosecutors a coherent understanding of their quasi-judicial role; explores the question of what goals other than penal severity are implied by the duty to seek "justice"?
- Fitzgerald, Edward *Chemical Castration: MPA Treatment of the Sexual Offender*
Volume 18, #1, Fall 1990, pp. 1-60
- Abstract: Discusses the constitutional implications of MPA treatment in the context of the First Amendment and the Eighth Amendment as well as the goals of criminal punishment.
- Fitzhugh, T. C., III *Providing Effective Assistance: The Duty of Defense Counsel*
Volume 4, #2, 1975-76, pp. 123-151
- Abstract: The need for a renewed examination of the effectiveness of appointed counsel's performance in criminal cases is discussed. Attempts to clarify the exact requirements imposed on defense counsel by the case law.
- Flinn, Amy L. Review: *Final Treatment: The File on Dr. X*, by Matthew L. Lifflander
Volume 8, #1, March 1980, pp. 132-133
- Abstract: This book is a study of the failures and institutional inadequacies of the professions of law and medicine with a focus on the infamous Curare murder case.
- Foster, Anthony J. *The Right to a Slow Trial: Insuring Effective Counsel*
Volume 2, #1, February 1973, pp. 67-74
- Abstract: Discusses situations in which a "speedy trial" may be detrimental to the defendant's interests, and may

violate the basic fairness contemplated by "due process."

Galton, Eric R.

Police Processing of Rape Complaints: A Case Study

Volume 4, #1, 1975-76, pp. 15-30

Abstract:

Critical analysis of police procedures in processing and handling rape complaints, and suggested reforms.

Galvan, Cindy

Review: *Terrifying Love: Why Battered Women Kill and How Society Responds*, by Eleanor Walker
Volume 17, #3, Spring 1990, pp. 335-336

Abstract:

Positive review of Walker's book which recounts her experiences as an expert witness in cases involving battered women accused of murdering their husbands and lovers.

Gambitta,

Richard A. &

Hitchings, B. Paul

Bail Bond Forfeiture Enforcement: The Mechanism and the Mirage

Volume 11, #3, November 1983, pp. 233-292

Abstract:

Examines the Texas law governing bail bond forfeiture enforcements, one large county's administrative operations concerning bail bond forfeitures, and the reasons for administrative and legal neglect in this area.

Ganne, Patrick R.

The Allen Charge in the Fifth Circuit

Volume 1, #2, April 1972, pp. 179-186

Abstract:

This article discusses the results of a study which entailed questionnaires mailed to 82 federal district court judges in the Fifth Circuit. The 42 responses are analyzed for determination of the practices of the judiciary in giving the *Allen* charge and the motivating factors behind these practices.

Geimer, W. S. &
Amsterdam, J.

Why Jurors Vote Life or Death: Operative Factors in Ten Florida Death Penalty Cases

Volume 15, Nos. 1 & 2, Fall and Winter 1987-88, pp. 1-54

Abstract:

Points out the inconsistencies prevalent in jury decisions which involve the death penalty; examines the jury decision in the John

Spenkelink case (*Spenkelink v. Wainwright*, 578 F.2d 582 (5th Cir. 1978)).

George, William T.

Texas Developments: *Bayona v. State*, 544 S.W.2d 155 (Tex. Crim. App. 1976).
Volume 5, #2, May 1977, pp. 247-255

Abstract: Simple assault not a lesser included offense of criminally negligent homicide.

Gillespie, Hal Keith

Review: *Criminal Interrogation*, by the Texas Department of Public Safety
Volume 1, #2, April 1972, pp. 129-132

Abstract: This is a review of a police training film which teaches Texas law enforcement officers the art of criminally interrogating suspected lawbreakers. Author describes various instructional techniques, emphasizing dangers of coercion and involuntary confessions.

Ginsberg, Michael

Rural Criminal Justice: An Overview
Volume 3, #1, Summer 1974, pp. 35-51

Abstract: Observations of rural criminal justice and how to best understand the way it works.

Gladstone, J. W.

Review: *Mentally Disordered Offenders: Perspective from Law and Social Science*, edited by John Monahan and Henry J. Steadman
Volume 12, #1, March 1984, pp. 111-113

Abstract: Written for students and professionals, this book provides an overview and comparison of mentally disordered offenders from legal, psychological, and sociological perspectives.

Gomez, Lynne M.

Review: *Juvenile Delinquency*, by William B. Sanders
Volume 4, #3, 1975-76, pp. 349-351

Abstract: Book examines traditional and modern views of juvenile delinquency.

Gonzalez, Robert

The Future of Criminal Justice, edited by Gene Stephens
Volume 12, #1, March 1984, pp. 116-117

Abstract: This book attempts to analyze themes of the

criminal justice system and predict the future of criminal justice in the United States.

- Gray, Leslie P. Review: *Marijuana Use and Criminal Sanctions*,
by Richard J. Bonnie
Volume 9, #1, March 1981, pp. 158-159
Abstract: Explores the myth that law is a flexible aspect of
social organization. Uses marijuana laws as a
vehicle for describing the steps involved in the
reformation of any criminal sanction.
- Green, Bruce A. *Her Brother's Keeper: The Prosecutor's
Responsibility When Defense Counsel Has a Poten-
tial Conflict of Interest*
Volume 16, #3, Spring 1989, pp. 323-366
Abstract: Examines the scope and nature of the prosecutor's
ethical responsibility in cases in which defense
counsel has a potential conflict of interest.
- Greene, Thomas B. Review: *Police in Trouble*, by James F. Ahern,
and *Urban Police Patrol Analysis*, by Richard C.
Larson
Volume 2, #1, February 1973, pp. 1-9
Abstract: *Police in Trouble* is a broadly based critique of law
enforcement which advocates extensive reforms of
the social justice system. *Urban Police Patrol
Analysis* has a narrow focus upon police patrol
procedures.
- Griess, Thomas,
Jr. Note: *Fourteenth Amendment—Due Process:
Chandler v. Florida*
Volume 9, #1, March 1981, pp. 113-126
Abstract: The Constitution does not prohibit states from
allowing, under conditions safeguarding the rights
of trial participants, electronic media coverage of
criminal trials absent a showing by the defendant
that the media coverage of his case either
compromised the jury's ability to judge fairly or
had an adverse impact on the trial participants
which was sufficient to deny due process.
- Grossman, S. P. *Sobriety Checkpoints: Roadblocks to Fourth
Amendment Protections*

- Abstract: Volume 12, #2, July 1984, pp. 123-167
Discusses whether sobriety checkpoints satisfy Fourth Amendment requirement of reasonableness.
- Gruner, Richard *To Let the Punishment Fit the Organization: Sanctioning Corporate Offenders Through Corporate Probation*
Abstract: Volume 16, #1, Fall 1988, pp. 1-106
Thorough discussion of the probation provisions of the Sentencing Reform Act of 1984.
- Guerrero, Ana M. Review: *A World Without Prisons*, by Calvert R. Dodge
Abstract: Volume 8, #1, March 1980, pp. 131-132
The book suggests alternatives to prisons that are being used or implemented outside of the U.S. The book primarily consists of in-depth descriptions of prison alternatives being used in other countries. The review describes the book as a bit unrealistic as to the scope of the possible use of these alternatives in the U.S.
- Hagin, Leslie J. Note: *A "Verbal" Analysis of Proper Venue for the Alleged Remote Aider or Abettor in Federal Prosecutions*
Abstract: Volume 18, #1, Fall 1990, pp. 87-101
Examines the question of proper venue in federal aiding and abetting prosecution when the state in which the principle offense occurred differs from the state in which the actual aiding and abetting took place.
- Halligan, Patrick *A Political Economy of Prosecutorial Discretion*
Abstract: Volume 5, #1, pp. 2-34
A critical analysis of the efficiency of three prosecutorial models: government system, independant system and private system.
- Hardy, Ben A. *The Traps of Entrapment*
Abstract: Volume 3, #2, Fall 1974, pp. 165-204
Analyzes the practical problems involved in entrapment defense in federal and state courts.

- Harlan, Doug *Determining Indigency in Texas: Findings from Preliminary Research*
Volume 3, #1, Summer 1974, pp. 1-16
Abstract: Current judicial practices of determining indigency—usually oral declaration is sufficient.
- Harwood, Robert Review: *The Private Investigator's Basic Manual*, Richard H. Akin.
Volume 5, #1, January 1977, pp. 145-147
Abstract: A description of the more mundane aspects of private investigation in almost textbook fashion.
- Hawkins, T. H. *Necessity as a Statutory Defense in Texas: A Comparison With Other States*
Volume 3, #3, Winter 1975, pp. 233-264
Abstract: Examines the recent statutory enactment in the Texas Penal Code in light of the necessity defense.
- Hawthorne, Texas Developments: *ABA Standards*
Sarajane Volume 4, #3, 1975-76, pp. 343-348
Abstract: Discusses the value of the ABA Standards as legal precedent before the Texas Court of Criminal Appeals.
- Hayden, David L. Recent Development: *Fourth Amendment: Michigan v. Clifford*, 52 U.S.L.W. 4056 (1984)
Volume 11, #3, November 1983, pp. 387-394
Abstract: Evidence found in fire-damaged residence by arson investigators who entered it and conducted extensive search, without obtaining warrant or giving notice to homeowner-defendants, some hours after fire fighters had extinguished blaze and left scene, is inadmissible.
- Hayzlett, Robert Review: *Class, State and Crime*, by Richard Quinney
Volume 6, #2, May 1978, pp. 240-242
Abstract: Author views the book as a restatement of Marxist theory which at times bears on contemporary problems of criminal justice in America.

- Hazelton, Peter M. Review: *A Deed of Death*, by Robert Giroux
Volume 18, #2, Winter 1991, pp. 251-253
Abstract: Analyzes the 1922 murder of director William Desmond Taylor.
- Healey, David *Is the Use of the Term "Constructive Transfer" in the Context of the Texas Controlled Substances Act Unconstitutional Under the Void-for-Vagueness Doctrine?*
Volume 12, #1, March 1984, pp. 69-90
Abstract: Examines whether portions of the Texas Controlled Substances Act which criminalize the delivery of controlled substances by constructive transfer are so vague as to be unconstitutional under the Void-for-Vagueness Doctrine. The article concludes that constructive transfer violates any notion of fairness under the doctrine because of the use of the term "constructive transfer." The author shows the term to be a meaningless legal term of art which both deprives the public of fair notice and "creates a catch-all theory of liability for prosecution of delivery cases."
- Healey, David Review: *Madness and the Criminal Law*, by Norval Morris
Volume 11, #2, July 1983, pp. 215-217
Abstract: An examination of the criminal justice system's treatment of the mentally ill. The reviewing author critiques Morris' proposal for reform.
- Hicks, Renea Note: *Voir Dire*
Volume 4, #2, 1975-76, pp. 180-193
Abstract: Compares the treatment of a black defendant in federal courts as opposed to state courts. Focus is mainly on the historical reasons and developments of this dichotomy through various cases such as *Ham v. South Carolina* and *Aldridge v. United States*.
- Hilbig, Steven C. *Insanity*
Volume 4, #2, 1975-76, pp. 194-202
Abstract: Discusses drug induced competency and how the court should go about informing the jury that

defendant's behavior has been altered through the use of drugs.

- Hill, John Recent Developments: *Ferri v. Ackerman*, 100 S.Ct. 402 (1979).
Volume 8, #1, March 1980, pp. 127-129
Abstract: Federal law does not provide immunity for court-appointed attorneys from malpractice actions brought under state law by former client. *Ferri v. Ackerman*, 100 S.Ct. 402 (1979).
- Hotle, R. Keith Review: *Al Capone—The Hawk—Prohibition*, by Leon H. Tashjian
Volume 16, #3, Spring 1989, pp. 385-387
Abstract: Positive review of former U.S. Deputy Marshal Leon Tashjian's account of his exploits as a law enforcement officer in Chicago during Prohibition.
- Icenogle, Anthony Review: *Questioned Document Case Studies*, by Luciano V. Caputo
Volume 10, #3, November 1982, pp. 277-279
Abstract: Favorable review of book which presents twenty-five cases of handwriting analysis.
- Johnson, James N. *The Influence of Politics upon the Office of the American Prosecutor*
Volume 2, #2, Summer 1973, pp. 187-215
Abstract: Attempts to enunciate the policy alternatives that might be selected to govern several prosecutorial management issues (such as political partisanship).
- Kaci, Judith Hails Confessions: *A Comparison of Exclusion under Miranda In the United States and Under The Judges' Rules In England*
Volume 10, #2, July 1982, pp. 87-112
Abstract: Comparative analysis of the Judges' Rule system with American procedure.
- Kaitcer, Jeffrey N. Note: *Sixth Amendment—Public Trial—The Public at Large has a Presumptive Right to Pretrial Suppression Hearing: United States v. Cianfrani*, 573 F.2d 835 (3d Cir. 1978)
Volume 6, #3, November 1978, pp. 329-339

- Abstract: A court can close a portion of a criminal proceeding only if it finds some other interests that outweigh the substantial presumption of public access. If the court finds at the end of the closed hearing that strict exclusion was not imperative, then the court should release that portion of the record which does not damage the interests the court had tried to protect. This is a compromise between protection of the defendant's right to a fair trial and the public interest.
- Kaplan, John *American Merchandising and the Guilty Plea: Replacing the Bazaar with the Department Store*
Volume 5, #2, May 1977, pp. 215-224
- Abstract: A critical look at the criminal justice system. The institutions could be greatly improved if we had better people, more resources, more knowledge and easier problems.
- Karwath, Bart A. Note: *Has the Constituency of Continuity Plus Relationship Put an End to RICO's Pattern of Confusion?*
Volume 18, #2, Winter 1991, pp. 201-249
- Abstract: Examines problems associated with the Supreme Court's attempt to clarify RICO's pattern requirement.
- Kates, Don B. *The Value of Civilian Handgun Possession As A Deterrent to Crime or a Defense Against Crime*
Volume 18, #2, Winter 1991, pp. 113-168
- Abstract: Analyzes the empirical evidence surrounding the question of whether civilian ownership of firearms reduces crime.
- Kerr, Andrew L. Note: *Criminal Law—Search and Seizure: United States v. Robinson*
Volume 3, #1, Summer 1974, pp. 85-104
- Abstract: Overview of search and seizure, how the courts define it and what is unreasonable.
- Kilgor, Gary Note: *The Fourth Amendment—Searches and Seizures—Fourth Amendment Does Not Prohibit a Police Officer From Ordering a Traffic Offender*

- Out of His Car: Pennsylvania v. Mimms*, 98 S.Ct. 330 (1977).
Volume 6, #2, May 1978, pp. 193-200
Abstract: How to determine reasonableness under the Fourth Amendment.
- Kirk, Terrance
Review: *Confessions of a Criminal Lawyer*, by Seymour Wishman
Volume 9, #3, November 1981, pp. 407-408
Abstract: Author's views on the practice of criminal law, especially regarding ethical concerns facing a criminal defense attorney.
- Kirk, Valerie
Review: *The Constitutional Right to a Speedy and Fair Criminal Trial*, by Warren Freedman
Volume 16, #2, Winter 1989, pp. 274-275
Abstract: Book discusses the constitutional and statutory provisions that guarantee the right to a speedy and fair criminal trial and examines illustrative cases.
- Kirschner, Nancy M.
Comment: *Criminal Consumer Fraud: Must the Goals of Deterrence and Compensation Be Mutually Exclusive?*
Volume 7, #3, November 1979, pp. 355-383
Abstract: This comment explores policy questions raised by the criminalization of consumer fraud; looks for standards in deciding when to use criminal/civil sanctions.
- Kitchens, J. B.
Review: *The End of Imprisonment*, by Robert Sommer.
Volume 5, #1, January 1977, pp. 147-150
Abstract: An indictment of the entire penal system. The author suggests mandatory short-run incarceration with periodic review.
- Kuhn, William
Civil Commitment of Alcoholics in Texas
Volume 1, #3, October 1972, pp. 335-350
Abstract: Evaluates Texas' commitment statutes and treatment procedures aimed at the State's alcoholics, and suggests future efforts in this area.

- Kulhavy, Joseph B. Review: *Offender Assessment and Evaluation: The Presentence Investigation Report*, by Todd Clear, Val Clear and William Burrell.
Volume 16, #1, Fall 1988, pp. 144-145
Abstract: Textbook on the use and preparation of the Presentence Investigation Report.
- Langenburg, Ray Note: *Fourteenth Amendment—Equal Protection—A Statutory Rape Law Which Prohibits Sexual Intercourse With Minor Females But Not With Minor Males Does Not Violate Equal Protection: Michael M. v. Superior Court*, 101 S.Ct. 1200 (1981)
Volume 9, #2, July 1981, pp. 235-249
Abstract: A discussion of the Supreme Court's evasion of the proper application of the three phases of equal protection analysis: (1) determining purpose of statute, (2) scrutinizing the purpose, and (3) determining the relation of purpose and legislative classification. The author concludes that the gender-based statutory rape law should have been rejected by the Supreme Court.
- Latzer, Barry *Royer: Profiles and the Emerging Three-tier Approach to the Fourth Amendment*
Volume 11, #2, July 1983, pp. 149-168
Abstract: The article describes the use of drug courier profiles and demonstrates why the profiles are theoretically sound. It analyzes the constitutional problems raised by the use of profiles. It also analyzes *Florida v. Royer*, a drug profile case, and suggests that this case expands the three-tier theory of the Fourth Amendment.
- LeBas, David Review: *Rights of Prisoners*, by James C. Gobert and Neil P. Cohen
Volume 9, #2, July 1981, pp. 273-274
Abstract: Authors discuss, analyze, and attempt to chart future trends in the law of prisoners' rights.
- Lee, Mark R. *Right to Effective Counsel: A Judicial Heuristic*
Volume 2, #3, February 1973, pp. 277-307

- Abstract: Defining effective counsel under the Sixth Amendment.
- Leeds, Stuart L. Review: *Point Blank*, by Sonny Grosso and Philip Rosenberg
Volume 6, #3, November 1978, pp. 351-352
- Abstract: Police corruption and betrayal in the New York City Police Department.
- Lichtenstein, Lori *Drug Detector Dogs and The Fourth Amendment: A Model Plan*
Volume 11, #1, March 1983, pp. 67-79
- Abstract: Examines question of whether we should permit canines to obtain evidence which then forms the basis for probable cause suitable for a search warrant.
- Lindley, Marcia S. Note: *Probation Conditions*
Volume 1, #2, April 1972, pp. 235-247
- Abstract: Poses various justifications the courts use in denying probationers Fourth Amendment rights. Lindley criticizes the practices and suggests that the justifications are no longer persuasive. Lindley offers standards that provide courts with the ability to impose reasonable restrictions not in conflict with the defendant's constitutional rights.
- Little, Douglas R. Texas Developments: *Cartwright v. State*, 527 S.W.2d 535 (Tex. Crim. App. 1975)
Volume 4, #1, 1975-76, pp. 95-110
- Abstract: County court judges, upon request, must appoint court reporters to record all trial proceedings in any case appealable by law to the Court of Criminal Appeals.
- Loar, Jeanne E. Texas Developments: *Lander v. State*, 550 S.W.2d 272 (Tex. Crim. App. 1977).
Volume 6, #2, May 1978, pp. 230-235
- Abstract: In Texas, there is no state constitutional right to hybrid representation.
- Luckstead, Erica *Choice of Evils Defenses in Texas: Necessity, Duress, and Public Duty*

- Abstract: Volume 10, #3, November 1982, pp. 179-213
Argues that trend to revive necessity and related defenses is positive.
- Lugo-Lugo v. State.* Casenote: *Lugo-Lugo v. State*, 650 S.W.2d 72 (Tex. Crim. App. 1983)
Volume 12, #2, July 1984, pp. 225-242
Abstract: This casenote discusses how an indictment for murder under §19.02(a)(2) of the Texas Penal Code is not fundamentally defective for failure to allege a culpable mental state because an allegation that the defendant intended to cause serious bodily injury satisfies that requirement.
- Lyle, Robert Texas Developments: *Beaupre v. State*, 526 S.W.2d 811 (Tex. Crim. App. 1975)
Volume 4, #2, 1975-76, pp. 218-226
Abstract: Incarceration for six days does not constitute a "formal charge" such that right to counsel at a lineup would attach.
- Macias, Francisco Recent Developments: *Appellate Procedure: Faulder v. Hill*, 612 S.W.2d 512 (Tex. Crim. App. 1980)
Volume 10, #3, November 1982, pp. 265-271
Abstract: Texas law does not prohibit local prosecutors from seeking a review of a Texas Court of Criminal Appeals Decision by application for *certiorari* to the United States Supreme Court.
- Macnoll, Stephen Note: *A Constitutional Analysis of the Texas Death Penalty Statute*
Volume 15, Nos. 1 & 2, Fall and Winter 1987-88, pp. 69-82
Abstract: Examines the problem of jury instructions and sentencing guidelines in Texas death penalty procedure.
- Manasco, Randy Note: *Fourth Amendment—Search and Seizure: United States v. Williams*
Volume 9, #1, March 1981, pp. 141-152

- Abstract: The exclusionary rule will not be invoked if evidence is obtained by law enforcement personnel as a result of a reasonable, good-faith search.
- Mann, J. Douglas *Prison Discipline and the Eighth Amendment: Out of the Quagmire?*
Volume 1, #1, February 1972, pp. 4-27
- Abstract: This article analyzes the Eighth Amendment's applicability to contemporary prison disciplinary practices. Examines common prison discipline situations and proposes an alternative test dealing with discipline and cruel and unusual punishment in hopes of clarifying the issues presented to courts dealing with these cases.
- Marcey, Paul *Co-Conspirator Declarations: The Federal Rules of Evidence and Other Recent Developments From a Criminal Law Perspective*
Volume 7, #3, November 1979, pp. 287-322
- Abstract: This article examines the hearsay exception for co-conspirator declarations, the structure and element of the exception, confrontation clause challenges to it, and the scope of the conspiracy.
- McCutchan, Betty H. Review: *Exclusionary Injustice: The Problem of Illegally Obtained Evidence*, by Steven Schlesinger
Volume 6, #2, May 1978, pp. 237-238
- Abstract: A thought provoking treatise on the current status of search and seizure law in the U.S.
- McGinnis, M. J. Texas Developments: *Porter v. State*, 578 S.W.2d 742 (1979)
Volume 7, #3, November 1979, pp. 413-417
- Abstract: The state is constitutionally prohibited from admitting documentary hearsay into evidence at punishment phase proceedings unless the evidence bears substantial indicia of reliability. *Porter v. State*, 578 S.W.2d 742 (1979).
- Meier, Michael Note: *Confrontation—Cross-Examination of Juveniles: Davis v. Alaska*
Volume 3, #2, Fall 1974, pp. 221-231
- Abstract: Sixth Amendment secures defendant's right to

explore probationary status of juvenile witnesses against him.

Melvin, Mike

Reliability and the First-Time Informant
Volume 1, #3, October 1972, pp. 283-295

Abstract:

Courts are allowing less objective criteria to establish the reliability of a police informant.

Merrick, Glenn

Note: *Criminal Procedure—Federal Trial Courts Possess the Same Broad Discretion to Reject Plea Agreements Under Rule 11 as They Exercise in Their Sentencing Function: United States v. Bean*, 564 F.2d 700 (5th Cir. 1977).

Abstract:

Volume 6, #3, November 1978, pp. 319-328
Under Fed.R.Crim.P. 11(e), a trial court has the discretion to reject a plea bargain. In considering plea bargains, court may be governed by the same broad standards that apply in sentencing. Trial courts are not required to give a statement of reasons for rejecting a bargain. Therefore, a rejection of plea bargains is essentially unreviewable in the Fifth Circuit.

Meyer, Cora

Review: *Legal Rights of Mentally Disabled Persons*, by The Mental Health Law Project, Paul R. Frieman, Chairman

Abstract:

Volume 9, #1, March 1981, pp. 156-158
Explores a compendium of cases, research studies, model statutes, articles and outlines which deal with mentally ill individuals.

Miller, Brian
David

Recent Developments: *Michigan v. Long*, 103 S.Ct. 3469 (1983)

Abstract:

Volume 12, #1, March 1984, pp. 99-110
Michigan v. Long changes the way the Supreme Court treats state court decisions in which it is unclear whether the state court decisions rest on state or federal grounds by requiring state courts to clarify the basis of their opinions.

Miller, Brian
David

Review: *Victims and Offenders: Needs and Responsibilities*, by John Harding
Volume 11, #2, July 1983, pp. 223-225

- Abstract:** An examination of the theory of restitution in the criminal justice system. The book examines issues surrounding the theory, and analyzes six restitution projects in the U.S. It is recommended as an introduction to the subject.
- Millstone, Jeff** *Comment: An Analysis of the Policy Rationale for the Texas Family Code Provision Allowing Courts to Compel Families of Delinquent Youth to Participate in Therapy*
Volume 12, #2, July 1984, pp. 169-188
- Abstract:** This comment seeks to explain the policy rationale for the Texas Family Code provision allowing juvenile courts the authority to compel parents and others in the same household as the juvenile to submit to psychological counseling.
- Montgomery, L.** *Recent Developments: Bearden v. Georgia*, 103 S.Ct. 2064 (1983)
Volume 12, #1, March 1984, pp. 91-97
- Abstract:** A sentencing court cannot properly revoke a defendant's probation for failure to pay a fine and make restitution, absent evidence and findings that he was responsible for the failure, or that alternative forms of punishment were inadequate to meet the state's interest in punishment and deterrence.
- Montgomery, L.** *Review: The Methods of Attacking Scientific Evidence*, by Edward J. Imwinkelreid
Volume 11, #2, July 1983, pp. 219-221
- Abstract:** A primer for the inexperienced trial lawyer on methods of attacking scientific evidence and/or expert testimony.
- Morgan, Eric C.** *Note: Assault Rifle Legislation: Unwise and Unconstitutional*
Volume 17, #2, Winter 1990, pp. 143-174
- Abstract:** Argues that the legislation of the "anti-assault weapon" genre is unnecessary and ineffective.
- Morris, Edwin G.** *Search and Seizure—Border Area Stops*
Volume 4, #2, 1975-76, pp. 203-217
- Abstract:** Discusses the existing limits on reasonable searches

and seizures in the context of border searches. Special attention is given to *U.S. v Brignoni-Ponce*, 95 S.Ct. 2574 (1975).

- Mosby, Joe *Attica: The Official Report of the New York State Special Commission on Attica*
Volume 2, #1, February 1973, pp. 18-25
Abstract: The summary of a report on the riot at the Attica prison. The book essentially outlines new social influences on the prisoners prior to imprisonment and how the brutal and corrupt prison system led to a riot.
- Muldoon, Brian Review: *The Victims*, by Frank G. Carrington
Volume 4, #3, 1975-76, pp. 352-355
Abstract: Book written by former FBI agent and Executive Director for Effective Law Enforcement; thesis is that the criminal justice system has granted too many rights to the accused.
- Mullin, Terrance J. Review: *The FBI and The Berrigans: The Making of a Conspiracy*, by Jack Nelson and Ronald J. Ostrow.
Volume 2, #1, February 1973, pp. 26-28
Abstract: Review of Herbert Hoover's attempt to have California radicals tried on conspiracy charges. Essentially exposes an abuse of prosecutorial discretion on the part of the Justice Department.
- Murrah, Macka L. Review: *Beyond Freedom and Dignity*, by B. G. Skinner
Volume 2, #2, Summer 1973, pp. 121-127
Abstract: Briefly examines Skinner's proposal that human behavior may be controlled through manipulation of the environment.
- Needels, Keith A. Review: *Business Crimes, A Guide for Corporate and Defense Counsel*, by Jeffrey Glekel
Volume 11, #1, March 1983, pp. 103-105
Abstract: Favorable review of book which instructs corporate counsel on the need to provide preventive services through counseling as well as how to defend the corporation faced with a criminal prosecution.

- Newsom, B. D., Jr.
Review: *The Flies (Les Mouches)*, by Jean Paul Sartre
Volume 1, #2, April 1972, pp. 133-140
Abstract: Author proposes that law schools become receptive to the arts, which depict "vexing issues of positive law." Newsom uses *The Flies* as an example of the arguments depicted in the arts. The book discusses the "illusory quality of free will and the problem of assigning responsibility and blame-worthiness to one who commits an act" The limitations raised should be addressed, otherwise "positive law will remain an imperfect mechanism . . ."
- Newsom, B. D., Jr.
Review: *Getting Justice: The Rights of People* by Stephen Gillers.
Volume 1, #1, February 1972, pp. 121-124
Abstract: Criticizes book for its "hornbook style." The work is accused of being so rigorous as to "discourage the most eager of untrained minds." However, the book is praised for both its look at philosophy and its survey of U.S. Supreme Court criminal rulings.
- Oppenheimer, Carol.
Rebel with a Cause: The Movement Lawyer in the Criminal Courts
Volume 2, #2, Summer 1973, pp. 146-186
Abstract: Examines issues facing attorneys engaged in the defense of so-called "radicals." Discusses issues such as politicizing trials, organizing and advising defendants, and case control by the client.
- Palenberg, John C.
Mass Amnesty: The East German Answer to Prison Overcrowding
Volume 11, #3, November 1983, pp. 369-385
Abstract: Examines the viability of mass amnesty as a possible solution to U.S. prison overcrowding.
- Parker, James F.
Plea Bargaining
Volume 1, #2, April 1972, pp. 187-209
Abstract: This article begins with a description of plea bargaining practices, the reasons behind such practices, and a discussion of how these techniques are

actually implemented; it ends by presenting the effects on the criminal justice system.

Parker, Michael
M.

Abstract:

Review: *Lawyers and Thieves*, by Roy Grutman and Bill Thomas
Volume 18, #2, Winter 1991, pp. 255-258
Critical review of Grutman's anecdotal catalogue of his personal experiences within the American judicial system.

Pillar, Donald

Abstract:

Review: *Criminal Detainers*, by Leslie W. Abramson
Volume 9, #3, November 1981, pp. 405-407
Discussion of the various problems—statutory, constitutional, and correctional—that arise when a person who has been convicted of a crime faces either an additional charge or the revocation of parole or probation following conviction for another crime.

Pittman, Ann S.

Abstract:

Review: *Jurors and Rape*, by Hubert S. Field and Leigh B. Bienen
Volume 9, #1, March 1981, pp. 155-156
Explains author's attempt to statistically determine jurors' tendencies in rape cases. The authors point out the powerful effect of race in rape trials. They also note that legislation and rape law reforms have been substantial, but piecemeal, and suggest that comprehensive efforts are needed.

Pollard, Gary M.

Abstract:

Review: *Criminal Defense Sourcebook, A Texas Lawyer's Guide*, by Ray Edward Moses
Volume 3, #3, Winter 1975, pp. 355-357
Formbook, practice guide and hornbook on the subject of criminal defense in Texas.

Pool, Rebecca J.

Abstract:

Review: *Mass Murder: An Annotated Bibliography*, by Michael Newton
Volume 15, #3, Spring 1988, pp. 305-307
Book catalogues over 600 sources dealing with mass murder.

- Price, Eben Review: *Blood Will Tell: The Murder Trials Of T. Cullen Davis*, by Gary Cartwright
Volume 8, #2, July 1980, pp. 223-225
- Abstract: Recount of relationship between T. Cullen Davis and Richard "Racehorse" Haynes. Coverage of T. Cullen Davis' trial for murder and eventual outcome of mistrial. Discusses the three sections of the book highlighting its strengths and weaknesses. Its strength is in keeping a legal perspective even in such a volatile context.
- Probus, Matthew & Popham, John Note: *Structured Transactions in Money Laundering: Dealing With Tax Evaders, Smurfs, and Other Enemies of the People*
Volume 15, Nos. 1 & 2, Fall and Winter 1987-88, pp. 83-114
- Abstract: Examines the decisions of the federal appellate courts on the reporting requirements (31 C.F.R. § 103.22 (1987)), with particular emphasis on "structuring" by customers and the reactions of the various circuits to such schemes prior to the enactment of 31 U.S.C. § 5324.
- Pugh, Sarah Review: *The Courtroom Elite: An Organizational Perspective on Criminal Justice*, by Peter F. Nar-dull
Volume 7, #3, November 1979, pp. 422-424
- Abstract: The author suggests that the fundamental problem with American criminal courts is a version of the classic bureaucratic problem: the pursuit of self-interest.
- Pulford, Lynn H. Review: *The Law of Criminal Procedure: An Analysis and Critique*, by David A. Jones
Volume 9, #3, November 1981, pp. 408-410
- Pulford, Lynn H. Review: *Understanding Criminal Law*, by Jay A. Sigler
Volume 9, #2, July 1981, pp. 274-277
- Abstract: Commentary on standard areas of criminal law such as elements of crime, crimes against property and persons, and economic crimes and defenses.

- Pulford, Lynn H. Recent Developments: *Ex Parte Stephen A. McWilliams*, 634 S.W.2d 815 (Tex. Crim. App. 1982).
Abstract: Volume 11, #1, March 1983, pp. 91-95
Texas' "carving doctrine" is abolished because it is not supported by constitutional or statutory provisions.
- Quillin, William C. Comment: *The Death Penalty in the Soviet Union* Volume 5, #2, May 1977, pp. 225-246
Abstract: Amidst the proliferation of articles and books on the American death penalty, this comment is designed to explore the status of the death penalty in the Soviet Union.
- Quillin, William C. Texas Developments: *Abercrombie v. State*, 528 S.W.2d 578 (Tex. Crim. App. 1975)
Abstract: Volume 4, #1, 1975-76, pp. 95-110
Search and Seizure—citizen informer's admission against penal interest coupled with sufficient detail provides adequate information for a magistrate to reasonably infer the informant's reliability.
- Quintanilla, Gabriel Casenote: *Texas Criminal Procedure: Article 38.07*
Abstract: Volume 11, #1, March 1983, pp. 81-90
Article 38.07 applies to all Chapter 21 Penal Code offenses, imposing tighter corroboration requirements on rape of child convictions.
- Radnofsky, Barbara. Comment: *The Role of the Juvenile Court Referee in Texas*
Abstract: Volume 7, #2, July 1979, pp. 225-251
Comment examines the referee system in Texas in light of the Supreme Court's decision in *Suisher v. Brady* and in light of policies which the Texas referee system attempts to serve.
- Ragan, James A. Note: *Duress—Defense to Escape—Threats of Homosexual Attack*
Abstract: Volume 3, #3, Winter 1975, pp. 331-340
Substantial threats of homosexual attack may support the defense of duress in a prosecution for

prison escape. *People v. Harmon*, 53 Mich. App. 482, 220 N.W.2d 212 (1974).

Ragan, Jim

Texas Developments: *Davenport v. State*, 574 S.W.2d 73 (Tex. Crim. App. 1978)
Volume 7, #2, July 1979, pp. 277-282

Abstract: The state may seek to revoke probation a second time for the same probation violation when probation is not revoked at the first revocation hearing. *Davenport v. State*, 574 S.W.2d 73 (Tex. Crim. App. 1978). Discusses scope of due process in the revocation context.

Randolph, Sheila R.

Review: *Miranda: Crime, Law and Politics*, by Liva Baker

Abstract: Volume 11, #3, November 1983, pp. 402-403
Thorough presentation of interviews, biographies, government documents, texts of speeches, and radio and television transcripts relevant to the 1966 landmark *Miranda v. Arizona* decision.

Rattenburg, E. A.

Plea-Bargaining Analytically: The Nash Solution to the Landes Model

Abstract: Volume 7, #3, November 1979, pp. 323-353
This article examines the criticisms of the plea bargaining system by outlining the procedural problems and by combining the Nash/Landes model in order to isolate the effects of plea bargaining on the individual defendant.

Reid, Brad

Juvenile Waiver: The Inconsistent Standard

Abstract: Volume 2, #3, February 1973, pp. 331-347
Examines various juvenile waiver statutes; evaluates, compares and contrasts them.

Reid, Dorothy

Review: *Rape One*, by Frederick Canavor

Abstract: Volume 10, #2, July 1982, pp. 173-174
Favorable review of former Assistant District Attorney Canavor's novel.

Rentfro, William L.

Review: *The Penalty of Death*, by Thorsten Sellin
Volume 10, #1, March 1982, pp. 82-83

- Abstract: Empirical analysis of the reasons and rationalizations most often cited for the retention of the death penalty.
- Reynolds, E., III Review: *Letter to the President on Crime Control*, by Norval Morris and Gordon Hawkins
Volume 5, #2, May 1977, pp. 264-266
- Abstract: The basic priority of the criminal justice system.
- Reynolds, E., III Texas Developments: *Eastwood v. State*, 538 S.W.2d 107 (Tex. Crim. App. 1976).
Volume 5, #1, January 1977, pp. 126-134
- Abstract: The time for filing a motion for new trial or notice of appeal from a probated sentence begins to run when the judgment is signed and filed.
- Reynolds, Jason G. *Trial Tactics and Strategy in Adequacy of Counsel Claims*
Volume 11, #3, November 1983, pp. 321-367
- Abstract: Examines the reasonable assistance of counsel standard when courts are faced with claims that tactical or strategic error has resulted in ineffective representation by trial attorneys.
- Roberts, Bruce Note: *Fourth Amendment Searches: Jones v. Latexo Independent School District*
Volume 9, #1, March 1981, pp. 127-139
- Abstract: The use of canines to detect drug paraphernalia on school children is an unreasonable search under the Fourth Amendment.
- Rockwell, Brad Note: *Domestic Covert Actions and the Need for National Security Qui Tam Prosecutions*
Volume 16, #2, Winter 1989, pp. 207-268
- Abstract: Proposes qui tam statute which would create an incentive for intelligence operatives to obey statutes and executive orders that are currently nonpenal.
- Rogers, Paul C., III Note: *Criminal Law: Right to Counsel*
Volume 2, #1, February 1973, pp. 98-107
- Abstract: Sixth Amendment right to counsel does not apply to preindictment identification confrontations.

- Rosen, Dan *Comment: Newsroom Searches: The Privacy Protection Act Takes Effect*
Volume 9, #2, July 1981, pp. 193-233
- Abstract: Analyzes the Privacy Protection Act, showing how it will change state laws. Using Texas as an example, it discusses the guidelines for federal officials to follow in searches and seizures involving communications and the rationale for extending this protection to lawyers, physicians, etc. There is also a discussion of the historical antecedents of a freedom from search and seizure.
- Rosenberg, I. M. *Schall v. Martin: a Child is a Child is a Child*
Volume 12, #3, November 1984, pp. 253-278
- Abstract: The author discusses the *Schall v. Martin* case in light of precedents, and she proposes that the Court's decision may be a warning of things to come in the constitutional arena of defendants' rights. The *Schall* court upheld a New York law that allowed detention of juveniles prior to adjudication of guilt, saying that the law served a legitimate state objective without depriving the juvenile of due process protection. The author contends that the next step may be extension of the *Schall* rationale to adult contexts.
- Rosenthal, M. P. *Essay: Physical Abuse of Children by Parents: The Criminalization Decision*
Volume 7, #2, July 1979, pp. 141-169
- Abstract: Essay dealing with the question of whether or not physical abuse of children by a parent or comparable caretaker should constitute a crime.
- Rossum, Ralph A. *Problems in Municipal Court Administration and the Stress of Supreme Court Decisions*
Volume 3, #1, Summer 1974, pp. 53-84
- Abstract: Discusses the way in which Supreme Court decisions limit the important functions of the lower courts.
- Rossum, Ralph A. *The Entrapment Defense and the Teaching of Political Responsibility: The Supreme Court as Republican Schoolmaster*

- Abstract: Volume 6, #3, November 1978, pp. 287-306
This article explores the Court's teaching on political responsibility as found in its opinion on the use of various prophylactic rules, with an emphasis on the "hypothetical person" version of the entrapment defense.
- Ruback, Barry Note: *Criminal Law: Search and Seizure*
Volume 2, #3, February 1973, pp. 349-355
Abstract: Person who consents to a search should be informed that he or she may refuse.
- Ruback, Barry *The Sexually Integrated Prison: A Legal and Policy Evaluation*
Volume 3, #3, Winter 1975, pp. 301-330
Abstract: Examines the advantages and disadvantages of sexually integrated prisons.
- Rubenstein, L. *Immunity and the Self-Incrimination Clause*
Volume 2, #1, February 1973, pp. 29-46
Abstract: The author examines the implications of precluding a witness from invoking the Fifth Amendment, provided that he is immune from having his testimony used against him.
- Russell, Steve *Status of the Texas Necessity Defense in Abortion Clinic Trespass Cases Assuming the Demise of Roe v. Wade*
Volume 17, #1, Fall 1989, pp. 1-18
Abstract: Examines the relationship between the privacy interests protected in *Roe v. Wade*, 410 U.S. 113 (1973), as a matter of common law or Texas constitutional law, and the necessity defense in Texas.
- Sackheim, Michael *Quasi-Criminal Enforcement of the Commodities Laws by the CFTC*
Volume 17, #2, Winter 1990, pp. 107-122
Abstract: Examines the Futures Trading Practices Act of 1989 ("S. 1729") which amends the Commodity Exchange Act and transforms the Commodity Futures Trading Commission.

- Sampson, Randall Comment: *Client Perjury: Truth, Autonomy, and the Criminal Defense Lawyer*
Volume 9, #3, November 1981, pp. 387-403
Abstract: Discusses the difficulties facing the criminal defense lawyer who has knowledge of his client's intention to testify falsely and the appropriate course of action the lawyer should take.
- Sanders, Robin Comment: *Helping the Jury Evaluate Eyewitness Testimony: The Need for Additional Safeguards*
Volume 12, #2, July 1984, pp. 189-220
Abstract: Suggests reforms for utilizing eyewitness testimony.
- Sapp, Stephen L. Note: *Private Interceptions of Wire and Oral Communications Under Title III: Rethinking Congressional Intent*
Volume 16, #2, Winter 1989, pp. 181-206
Abstract: Discusses the problems of statutory construction in cases involving private interceptions of wire and oral communications in light of Title III of the Omnibus Crime Control and Safe Streets Act (18 U.S.C. §§ 2510-2520).
- Schaberg, John I. Note: *Constitutional Law—Obscenity*
Volume 8, #2, July 1980, pp. 199-208
Abstract: Discusses sanctions, both non-criminal and criminal, used to suppress obscenity and their possible unconstitutionality in light of such cases as *Freedman*, *Roth-Miller*, and *Vance*.
- Schneider, L. K. Review: *Twice Violated: New Hope for the Victims of Criminal Violence*, by Robert C. Sullivan
Volume 16, #2, Winter 1989, pp. 269-270
Abstract: Positive review of book which attacks the insensitivity of the criminal justice system to victims' rights.
- Schroeder, Sherrie Review: *A Court Divided: The Fifth Circuit Court of Appeals and the Politics of Judicial Reform*, by Deborah J. Barrow and Thomas G. Walker
Volume 16, #2, Winter 1989, pp. 275-276
Abstract: In depth analysis of the seventeen year battle to

divide the Fifth Circuit and to create the Eleventh Circuit.

Schultz, Kaye

Review: *The Legal Defense of Pathological Intoxication: With Related Issues of Temporary and Self-Inflicted Insanity*, by Lawrence P. and Mary Tiffany

Volume 18, #2, Winter 1991, pp. 258-260

Abstract:

Positive review of book by a criminal law professor and a nurse which investigates pathological intoxication.

Scofield, Giles R.

Due Process in the United States Supreme Court and the Death of the Texas Capital Murder Statute
Volume 8, #1, March 1980, pp. 1-42

Abstract:

This article examines the Texas capital murder statute in light of the U.S. Supreme Court's due process constraints. The author concludes that the Texas statute violates a defendant's Eighth and Fourteenth Amendment guarantees of a fair trial. Additionally, the author questions whether it is possible to develop a satisfactory death penalty scheme that is not procedurally impracticable.

Scruggs, G. C.

Due Process—Non-Attorney Judges—Criminal trials

Volume 3, #3, Winter 1975, pp. 341-354

Abstract:

Allowing non-attorney judges to preside over criminal trials punishable by a jail sentence violates the due process clause of the Fourteenth Amendment: *Gordon v. Justice Court*, 525 P.2d 72 (1974).

Searcy, Seth S.,
III.

Pleading and Proving the Culpable Mental States Under the New Texas Penal Code

Volume 6, #3, November 1978, pp. 243-266

Abstract:

Failure to furnish guidance for applying the four "terms" which the Texas Penal Code uses to express culpability has led to confusion among prosecutors about which mental state(s) to plead.

Seid, David M.

Note: *The Aftermath of Arizona v. Hicks: An Expectation of Privacy at Home*

- Abstract: Volume 17, #1, Fall 1989, pp. 81-94
Analyzes circuit and state court interpretations of the *Arizona v. Hicks*, 480 U.S. 321 (1987), decision in the context of warrantless "plain view" searches and seizures in an individual's dwelling.
- Seid, David M. Review: *The Insanity Defense: A Critical Assessment of Law and Public Policy in the Post-Hinckley Era*, by Rita J. Simon and David E. Aaronson.
Volume 16, # 2, Winter 1989, pp. 272-273
Abstract: Written for the layperson; book provides overview of the insanity defense.
- Selz, Shirley A. *Conspiracy Law in Theory and Practice: Federal Conspiracy Prosecutions in Chicago*
Volume 5, #1, pp. 35-71
Abstract: Comment discussing the relationship between the theoretical bases underlying federal conspiracy law and some practical factors which motivate its use.
- Seman, Karl C. *A Juvenile Waiver of the Privilege Against Self-Incrimination: A Federal and State Comparison*
Volume 10, #1, March 1982, pp. 27-46
Abstract: Examines a juvenile's waiver of his privilege against self-incrimination; includes an examination of constitutional safeguards mandated by *Miranda v. Arizona*, 384 U.S. 436 (1966), and *Fare v. Michael C.*, 442 U.S. 707 (1979).
- Seman, Karl C. Comment: *The Federal Courts: Habeas Corpus and Recent Meanings of Cause and Prejudice*
Volume 10, #3, November 1982, pp. 215-244
Abstract: Examines evolving *habeas corpus* requirements when the claim of unconstitutional detention was not advanced at trial or on direct appeal.
- Sepler, Harvey J. *The Next 25 Years Facing the Criminal Justice System: Using Standard Celebration Charting for Systems Analysis*
Volume 7, #1, March 1979, pp. 47-66

- Abstract: Comparison of the current frequencies and acceleration of the components of popular crime.
- Seymore, Malinda L. & Thielman, Mark *Appellate Reversal for Insufficient Evidence In Criminal Cases: The Interaction of the Proof and the Jury Charge*
Volume 16, #2, Winter 1989, pp. 161-180
- Abstract: Analyzes sufficiency of evidence; traces the evolution of Texas cases culminating in *Garrett v. State*, 749 S.W.2d 784 (Tex. Crim. App. 1986).
- Sharlot, Sarah M. Review: *Facing the Death Penalty: Essays on a Cruel and Unusual Punishment*, Michael L. Radelet, editor
Volume 17, #2, Winter 1990, pp. 201-204
- Abstract: Favorable review of book which explores the emotional aspects of the death penalty.
- Sherman, Edward F. Commentary: *A Social Psychology of Citizens' Obligations to Authority: A Review of Crimes of Obedience*
Volume 17, #3, Spring 1990, pp. 287-306
- Abstract: Extensive and careful review of the book, *Crimes of Obedience: Towards A Social Psychology of Authority and Responsibility* (1989), by Herbert C. Kelman & V. Lee Hamilton, in the context of civilian and military crimes of obedience.
- Sherry, Robert J. Comment: *Warrantless Entries to Arrest Suspects in the Homes of Third Parties After Payton v. New York*
Volume 9, #1, March 1981, pp. 51-87
- Abstract: Discussion of the *Payton* holding, the rule prior to *Payton* and its standards, and the implications of *Payton*. The author ends by presenting an alternative.
- Shibley, William H. *Attorney-Prisoner Communications: The Right to Uncensored Mail*
Volume 1, #1, February 1972, pp. 28-43
- Abstract: This articles discusses the justification for censorship; it concludes with the position that the "right

to communication ought not be limited without some compelling state interest."

Sicola, M. K. &
Shreves, R. R.

Jury Consideration of Mitigating Evidence: A Renewed Challenge to the Constitutionality of the Texas Death Penalty Statute
Volume 15, Nos. 1 & 2, Fall and Winter 1987-88, pp. 55-82

Abstract: Examines the historical context of the 1976 U.S. Supreme Court decision *Jurek v. Texas*, 428 U.S. 262 (1976); suggests revisions to the Texas statutory sentencing scheme.

Sinclair, Robert J.

Texas Developments: *Coleman v. State*, 530 S.W.2d 823 (Tex. Crim. App. 1975)
Volume 4, #2, 1975-76, pp. 227-235

Abstract: If the facts proved are in such close juxtaposition to the main fact to be proved as to be equivalent to direct testimony, a charge on circumstantial evidence is not required.

Sirico, Louis J., Jr.

Review: *The Time Game: Two Views of a Prison*, by Anthony J. Manocchio and Jimmy Dunn
Volume 1, #1, February 1972, pp. 125-128

Abstract: This review presents criticism of the book's prison episodes and goes on to comment on the probability of reform programs.

Slaikeu, Diane

Review: *Against Our Will: Men, Women and Rape*, by Susan Brownmiller
Volume 4, #1, 1975-76, pp. 111-116

Abstract: This book attempts to understand the relationships between men and women through the basis of rape.

Slevin, Sheila

Review: *Wayward Capitalists*, by Susan Shapiro
Volume 12, #3, November 1984, pp. 364-366

Abstract: First book in a series entitled the Yale Studies of White Collar Crime. The book deals with the detection, investigation, and enforcement practices of the Securities and Exchange Commission.

Smith, Carla

Review: *Handling Juvenile Delinquency Cases*, by F. Lee Bailey and Henry B. Rothblatt

- Abstract: Volume 11, #1, March 1983, pp. 101-102
"How-to" guide to the adjudicatory process of the juvenile justice system.
- Smith, Clayton L. Note: *The Controlled Substance Analogue Enforcement Act of 1986: The Compromising of Criminalization*
Volume 16, #1, Fall 1988, pp. 107-138
Abstract: Outlines the evolution of the designer drug problem and the response of Congress to the problem of the Controlled Substance Analogue Enforcement Act of 1986.
- Smith, M. Elizabeth *The Public Dissemination of Arrest Records and the Right to Reputation: The Effect of Paul v. Davis on Individual Rights*
Volume 5, #1, January 1977, pp. 72-89
Abstract: Author reviews the Supreme Court's decision in *Paul v. Davis*, criticizing the Court for its failure to recognize the due process arguments.
- Smoot, Steven M. *Discovery in Texas Criminal Cases: How Far Have We Come?*
Volume 8, #1, March 1980, pp. 91-118
Abstract: This article analyzes Texas' use of discovery in criminal trials. The author concludes that Texas has come a long way in recognizing that a fair trial involves providing the defendant with evidence for the proper preparation of the defense. However, the author adds that the courts have not interpreted the statutes as liberally as perhaps intended by the Texas legislature.
- Spears, Steven Review: *Crime, Shame and Reintegration*, by John Braithwaite
Volume 17, #2, Winter 1990, pp. 199-201
Abstract: Favorable review of Braithwaite's theory of "shaming" and low crime rates.
- Spiller, John Review: *Intimate Violence*, by Richard J. Gelles and Murray Strauss
Volume 17, #2, Winter 1990, pp. 196-198

- Abstract: Favorable review of book which sets forth the causes and effects of family violence as well as the results of the Second National Family Violence Survey.
- Spoeede, David Review: *The Limits of Enlightenment: Joseph II and the Law*, by Paul P. Bernard
Volume 8, #1, March 1980, pp. 135-137
- Abstract: This book contrasts the actions of Joseph II, generally considered to be Austria's greatest legal reformer, with many of his own reforms. The author shows that Joseph II's ideas and actions were often inconsistent.
- Stahl, Brent G. Note: *Rule 14e-3: Invalid in the Criminal Context*
Volume 16, #3, Spring 1989, pp. 367-380
- Abstract: Examines both the status of Rule 14e-3 in the civil context as well as the invalidity of Rule 14e-3 in the criminal context.
- Steele, Walter W. & Sigman, Christine *Reexamining the Doctrine of Self-Defense to Accommodate Battered Women*
Volume 18, #2, Winter 1991, pp. 169-185
- Abstract: Argues that self-defense rules and statutes should be reconsidered in light of modern societal demands and issues.
- Sterba, Sandra L. Review: *Reaffirming Rehabilitation*, by Francis T. Cullen and Karen E. Gilbert
Volume 10, #2, July 1982, pp. 174-176
- Abstract: Favorable review of book which adamantly defends rehabilitation as the goal and focal point of the American criminal justice system.
- Stover, Robert V. & Eckert, Dennis R. *A Systematic Comparison of Public Defenders and Private Attorneys*
Volume 3, #3, Winter 1975, pp. 265-300
- Abstract: A comparison of public and private defense attorneys and the quality of their work. The article relies upon interviews and observations of attorneys as well as data on the outcome of cases for both types of attorneys.

- Strafer, G. Richard *"Operation Roadrunner:" The Misapplication of Federal Criminal Sanctions to Bid-Rigging in the Highway Construction Industry*
Volume 11, #1, March 1982, pp. 1-65
Abstract: Examines the Sherman Act, FAHWA insulation of federal interests, mail fraud, and false statements in the context of both the Privacy Act, the Fifth Amendment violation, and the "Exculpatory No" defense.
- Strawn, Susan *Note: Spy v. Spy: The Reliance on Authority Defense in National Security Cases*
Volume 15, Nos. 1 & 2, Fall and Winter 1987-88, pp. 161-193
Abstract: Examines the reliance defense and intent requirements.
- Stroud, James A. *The Criminal Prosecution Defense: A Defense to a Section 7602 Summons?*
Volume 4, #2, 1975-76, pp. 152-179
Abstract: Analyzes the criminal prosecution defense and its use in the investigatory procedure of the Internal Revenue Service; conflicts and possible solutions to its application are proposed.
- Stroud, James A. *Note: Military Law—Right to Counsel*
Volume 2, #1, February 1973, pp. 108-120
Abstract: The Armed Forces must provide counsel for servicemen tried by summary court martial.
- Stuart, Charlotte & Stuart, Donald *A Metaphoric View of the Criminal Process*
Volume 3, #1, Summer 1974, pp. 17-33
Abstract: Examines the problem with how the criminal is treated by our judicial system.
- Stutes, Ronald D. *Review: The Joint: Language and Culture in a Maximum Security Prison*, by Inez Cardoza-Freeman
Volume 12, #2, July 1984, pp. 248-249
Abstract: Description of lives of prisoners in prison starting with a prisoner's entry and ending with his release. Book is primarily composed of interviews with inmates.

- Sullivan, J.
Thomas
- The Texas Court of Criminal Appeals: A Modest Critique Of Appellate Decisionmaking*
Volume 10, #2, July 1982, pp. 113-160
- Abstract: Defense attorney's examination of the Texas Court of Criminal Appeals' performance.
- Surovic, Gregory J.
- Review: *Rural Crime—Integrating Research and Prevention*
Volume 11, #1, March 1983, pp. 99-100
- Abstract: Favorable review of book which is a collection of short studies and articles written by sociologists and criminologists dealing with the issue of crime in rural America.
- Swenson, R. E.
- The Implications of United States v. Sells Engineering Inc. and United States v. Baggot*
Volume 12, #3, November 1984, pp. 327-359
- Abstract: Analysis of the *Sells* and *Baggot* decisions limiting the access of the government to grand jury materials; finding that both decisions will increase the cost of civil law enforcement while not clearly furthering the policies underlying grand jury secrecy. Also, the decisions may encourage grand jury abuse and circumvention of federal rules.
- Swinnea, Tom
- Review: *Corporate Crime*, by Marshall B. Clinard and Peter C. Yeager
Volume 9, #1, March 1981, pp. 153-155
- Abstract: Discusses the history and rationalizations behind corporate crime and the need for reform to create greater corporate accountability. The authors suggest a broad array of changes in the interest of saving the capitalist system.
- Talavera, Nancy
- Review: *Unnatural Death: Confessions of a Medical Examiner*, by Michael M. Baden, M.D.
Volume 17, #2, Winter 1990, pp. 195-196
- Abstract: Forensic pathologist examines the medical-legal autopsy and its important role in the courtroom.
- Teitelbaum, William
- The Prosecutor's Role in the Sentencing Process: A National Survey*
Volume 1, #1, February 1972, pp. 75-95

- Abstract: This article deals with prosecutorial participation in sentencing defendant's who have received a full trial.
- Teitelbaum, William *Voir Dire: Another view*
Volume 1, #3, October 1972, pp. 274-282
- Abstract: Explores whether the benefits of voir dire justify the delay that it causes.
- Terres, Joyce Lind *Prenatal Cocaine Exposure: How Should the Government Intervene?*
Volume 18, #1, Fall 1990, pp. 61-86
- Abstract: Favors the child protection system over criminal sanctions as a form of the direct government intervention necessary to compel pregnant women to face their responsibility to their unborn children.
- Tigar, Michael E. *It Does the Crime But Not the Time: Corporate Criminal Liability in Federal Law*
Volume 17, #3, Spring 1990, pp. 211-234
- Abstract: Argues that altering the federal law to resemble the Model Penal Code formulation is in error; favors approach in which the jury's decisionmaking in corporate crime cases resembles ordinary criminal cases where the defendant takes the stand or puts on character evidence.
- Tilleman, W. A., II *It's a Crime: Public Interest Laws (Fish and Game Statutes) Ignore Mens Rea Offenses—Toward a New Classification Scheme*
Volume 16, #3, Spring 1989, pp. 279-321
- Abstract: Comprehensive examination of the scope of wildlife protection laws and the appropriateness of the sanctions and remedies employed in their enforcement.
- Timaeus, Dana Note: *Fourteenth Amendment—Due Process—Texas Penal Code Section 12.31(b) Unconstitutionally Permits the Exclusion for Cause of Jurors Who Have General Objections to, or Religious or Moral Scruples Against the Death Penalty: Adams v. Texas*, 448 U.S. 38 (1980)
Volume 9, #2, July 1981, pp. 251-269

- Abstract:** A discussion of cases preceding *Adams*, most notably *Witherspoon v. Illinois*, wherein the Court held that the exclusion of scrupled jurors may deprive a defendant of due process of law. An examination of Texas law leading up to *Adams* is undertaken as well. In *Adams*, the Court held that *Witherspoon* applied to the Texas system of bifurcated trials and found that sec. 12.31(b) operated to exclude jurors shielded from challenges for cause under *Witherspoon*. The essential question remains unanswered—whether it is desirable to broaden the base from which the jury is selected or to narrow that range by excluding death penalty extremists of either stripe. The note concludes by examining the possibility of extending *Witherspoon* to the guilt determination stage.
- Timaeus, Dana** **Review:** *Pigs and Other Animals*, by Roger Martin
Volume 8, #2, July 1980, pp. 225-227
- Abstract:** Presents life as a jail guard. Attempt to reform criminal justice system. Negative critique of author's inconsistencies, unsupported assertions, outdated data, and failure to correct simple, manual mistakes.
- Treend, Tracy** **Review:** *The Criminal Elite*, by Howard Abadinsky
Volume 12, #1, March 1984, pp. 117-119
- Abstract:** This book examines two elite categories of the criminal underworld: the professional jewel thief and the made guy (a member of Italian-American organized crime).
- Treiman, David M.** **Review:** *Recklessness and the Model Penal Code*
Volume 9, #3, November 1981, pp. 281-386
- Abstract:** In-depth examination of Model Penal Code's definition of "recklessness".
- Trigg, Sally** **Comment:** *Diversion and the Delinquency Prevention Division of the Travis County Juvenile Court*
Volume 9, #1, March 1981, pp. 89-111

- Abstract: This is an overview of the Youth Service Bureau concept, its history, its shortcomings, its development, and possible solutions to its problems.
- Trigg, Sally Review: *Reforming Corrections for Juvenile Offenders*, by Yitzhak Bakal and Howard W. Polsky
Volume 8, #2, July 1980, pp. 221-223
- Abstract: Traces delinquency, juvenile corrections, and the deinstitutionalization process, and presents a survey of the resulting programs. *Reforming Corrections* was found to be a good description of the programs in Massachusetts, but it is flawed in that it gives broad conclusions without sufficient support. Is recommended for the student of progressive juvenile services.
- Trigg, Sally Review: *Sentenced to Die: The People, the Crimes, and the Controversy*, by Stephen H. Gettinger.
Volume 8, #1, March 1980, pp. 133-135
- Abstract: The author of this book challenges his own position against capital punishment with a study of eight individual death cases, along with the history, legal status, and issues surrounding the death penalty. The author concludes by offering alternatives to the death penalty, such as life sentences that are really for life.
- Triplet, Rick *Pretrial Detention of Juvenile Delinquents*
Volume 6, #2, May 1978, pp. 137-165
- Abstract: A study of juvenile detention, why it occurs and what it entails.
- Turner, Joseph A. Texas Developments: *Robertson v. State*, 541 S.W.2d 608 (Tex. Crim. App. 1976); *Vargas v. State*, 542 S.W.2d 151 (Tex. Crim. App. 1976).
Volume 5, #2, May 1977, pp. 256-262
- Abstract: Following standard police procedures requiring the inventorying of impounded vehicles is not unreasonable conduct under the Fourth Amendment.
- Udell, Steve Review: *Burr, A Historical Novel*, by G. Vidal
Volume 3, #3, Winter 1975, pp. 358-361

- Abstract:** Aaron Burr and the historical events of his life and trial for treason.
- Udell, Steve** **Review:** *Drugs and Minority Oppression*, by John Helmer
Volume 4, #2, 1975-76, pp. 245-247
- Abstract:** Book examines drugs and the problems they inflict on minorities.
- Udulutch, Mark** **Note:** *The Constitutional Implications of Gun Control and Several Realistic Gun Control Proposals*
Volume 17, #1, Fall 1989, pp. 19-54
- Abstract:** Discusses the question of whether or not there should be gun control in the context of the Second Amendment's guarantee of the right to bear arms.
- Verneti, JoAnna** **Comment:** *Juvenile Justice in Texas: A Precarious Balance*
Volume 7, #2, July 1979, pp. 193-224
- Abstract:** Comment discusses the issue of juvenile confessions as developed by courts and legal theorists; examines actual practices in Texas (survey), and makes recommendations to improve the system of dealing with juvenile offenders.
- Volkman-Schluck, Thomas** *Continental European Criminal Procedures: True or Illusive Model?*
Volume 9, #1, March 1981, pp. 1-32
- Abstract:** Criminal procedure as divided into two systems: the accusatorial model and the inquisitorial model; the former found in common law countries and the latter in civil law countries. Comparative studies collecting knowledge of different systems and use of that knowledge in reconstructing and reorganizing the scholar's own country's system.
- Walker, Ronald B.** **Note:** *Criminal Law—Incompetency*
Volume 2, #1, February 1973, pp. 87-97
- Abstract:** Commitment of incurably incompetent defendant to institution until such time as he became sane constituted imprisonment for life in violation of his equal protection and due process rights.

- Walker, Tami Review: *The Expert Witness Handbook*, by Daniel F. Poynter
Volume 15, #3, Spring 1988, pp. 304-305
Abstract: Book is designed to initiate newcomers into the business of expert testimony.
- Watts, Ed Note: *Constitutional Law—Right of Confrontation*
Volume 2, #1, February 1973, pp. 75-86
Abstract: Admission in an accomplice's trial of a principal's oral out-of-court confession implicating the accomplice does not violate the accomplice's Sixth Amendment right of confrontation.
- Watson, Michael T. Note: *United States v. Karnes*, 531 F.2d 214 (4th Cir. 1976)
Volume 4, #3, 1975-76, pp. 305-316
Abstract: Court may not produce evidence essential to overcome defendant's presumption of innocence and which government has declined to present.
- Weddington, The Honorable Sarah *Rape Law in Texas: H.B. 284 and the Road to Reform*
Volume 4, #1, 1975-76, pp. 1-14
Abstract: Development and explanation of the Bailey-Weddington Bill to aid prosecution of current rape statutes and to add further prosecutorial aids.
- Weiland, Cass S. & Jones, Greg *Federal Procedural Implications of Furman v. Georgia: What Rights for the Formerly Capital Offender?*
Volume 1, #3, October 1972, pp. 318-334
Abstract: Analyzes the implications of *Furman v. Georgia* for federal criminal procedures relating to formerly capital offenses.
- Weisberg, D. Kelly *Children of the Night: The Adequacy of Statutory Treatment of Juvenile Prostitution*
Volume 12, #1, March 1984, pp. 1-67
Abstract: Discussion of the law's response to the problem of juvenile prostitution.

- Welch, Steven R. Texas Developments: *Search and Seizure: Recent Amendments to Texas Penal Code May Have Reintroduced the Mere Evidence Rule to Texas*
Volume 6, #2, May 1978, pp. 225-229
Abstract: Recent amendments to Texas Code of Criminal Procedure sec. 18.02(10) have resurrected the spirit of the mere evidence rule.
- Wells, J. Tullos *Criminal Sanctions Imposed Against Newsmen: Shield Protection Needed*
Volume 2, #3, February 1973, pp. 309-329
Abstract: Examines reporting needs regarding protection from being subpoenaed to reveal sources or confidential information to a grand jury. Contains brief survey of the current status of newsmen before judicial and investigative bodies and the sanctions the reporters incur. Then looks at state laws and proposed federal legislation in an attempt to see what provisions will give the journalist optimum protection as well as optimum flexibility in his job.
- Wetsel, Roderick E. Texas Developments: *Alvarez v. State*, 536 S.W.2d 357 (Tex. Crim. App. 1976).
Volume 5, #1, January 1977, pp. 121-126
Abstract: Discusses the permissibility of increased sentence on retrial.
- Whaley, Donald L. A Reply to Review: *A Clockwork Orange* by John T. Anderson in 1 Am. J. Crim. L. 249 (1972).
Volume 2, #1, February 1973, pp. 10-17
Abstract: A critique of Anthony Burgess's *A Clockwork Orange* and of reviews in previous issues of the American Journal of Criminal Law.
- Whellan, Michael J. Review: *Organized Crime in America, Second Edition*, by Jay Albanese
Volume 16, #3, Spring 1989, pp. 382-385.
Abstract: Positive review of book which discusses organized crime's history as well as the relevant theories about organized crime.

- Whellan, Michael J. Note: *What's Happened to Due Process Among the States? Pretrial Publicity and Motions for Change of Venue in Criminal Proceedings*
Volume 17, #2, Winter 1990, pp. 175-193
Abstract: Argues that an essential purpose of the Fourteenth Amendment is to ensure flexible standards that guarantee fundamental fairness.
- Wilenzick, Marc Review: *An Appeal to Justice: Litigated Reform of Texas Prisons*, by Ben Crouch and James Marquart
Volume 17, #3, Spring 1990, pp. 336-338
Abstract: Positive review of book which discusses the ways in which court-ordered reforms in Texas have affected prison life.
- Wilkerson, Glen *Public Defenders as Their Clients See Them*
Volume 1, #2, April 1972, pp. 141-155
Abstract: This article examines what the public defender's client thinks of his lawyer. It then suggests ways to improve attorney-client relations.
- Williams, John L. Review: *Undercover: Police Surveillance in America*, by Gary T. Marx.
Volume 16, #1, Fall 1988, pp. 139-141
Abstract: Positive review of Marx' survey of police surveillance.
- Winckler, James L. *Drafting an Effective Bribery Statute*
Volume 1, #2, April 1972, pp. 210-223
Abstract: Winckler proposes that legislative revision can help develop the legal arsenal necessary to effectively prosecute bribery offenses.
- Wise, Douglas Review: *The Killing of Bonnie Garland: A Question of Justice*, by William Gaylin, M.D.
Volume 10, #1, March 1982, pp. 80-82
Abstract: Detailed account of the "Yale murder" case which involved Richard Herrin and Bonnie Garland.
- Wondra, John Review: *The Death Penalty: A Debate*, by Ernest Vanden Haag and John P. Conrad
Volume 12, #2, July 1984, pp. 246-247

- Abstract: Two nonlawyers debate the justification of capital punishment.
- Woods, Bryan
Allen Note: *Sixth Amendment—Trial by an Impartial Jury—The Breadth of the Basis for Excluding Veniremen Under the Witherspoon Doctrine: Adams v. Texas*, 448 U.S. 38 (1980).
Volume 10, #1, March 1982, pp. 47-64
- Abstract: Examines *Adams* within the context of the Sixth Amendment and the *Witherspoon* Doctrine.
- Wuslich, Raymond Note: *Procedural Due Process and the Defendant's Right to Counsel of Choice Under the Comprehensive Forfeiture Statute*
Volume 15, Nos. 1 & 2, Fall and Winter, pp. 115-160
- Abstract: Discusses the foundations of the forfeiture statutes (RICO) and their relation to the right to counsel; examines the due process requirements of pretrial restraining orders and the standards applied by federal courts in forfeiture cases as well as the right to counsel of choice and how it may be affected by pretrial restraining orders.
- York, Christine L. Review: *Serial Murder: Future Implications For Police Investigations*, by Robert D. Keppel
Volume 16, #1, Fall 1988, pp. 142-144
- Abstract: Author seeks to improve the effectiveness of serial murder investigations by identifying common appellate issues raised by convicted murderers.
- Young, Jim Note: *Constitutional Law—Texas Habitual Offender Statute Does not Violate the Eighth Amendment*
Volume 8, #2, July 1980, pp. 209-216
- Abstract: Discusses the Texas habitual offender statute and a challenge to it on the basis that it constitutes cruel and unusual punishment and the court's response of applying proportionality analysis in its determination.
- Zepken, J. R. *The Constitution v. The Bench and the Bar—A True Bill, to Wit: Violation of Due Process*

- Abstract: Volume 10, #2, July 1982, pp. 161-172
Explores the treatment by state and federal courts of the concept of indigency in the light of how they determine eligibility for court-appointed counsel.

- Zoellers, Karen M. Review: *Controlling Unlawful Organizational Behavior*, by Dianne Vaughn
Volume 12, #3, November 1984, pp. 361-362
Abstract: A sociological study of corporate crime, its causes, and the difficulties in investigation and enforcement by government agencies that are simultaneously autonomous and interdependent.

